

**URBAN
MUNICIPAL**

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BY-LAWS OF THE CITY OF
HAMILTON

01 - 120 ...

THE CITY OF HAMILTON

BY-LAW NO. 01 - 120

To Confirm the Proceedings of City Council at its meeting held on June 19, 2001.

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

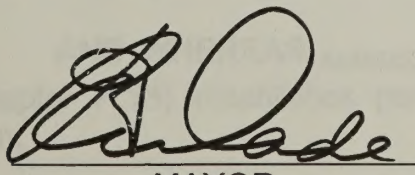
1. The Action of City Council at its meeting held on the 26th day of June, 2001 in respect of each recommendation contained in:

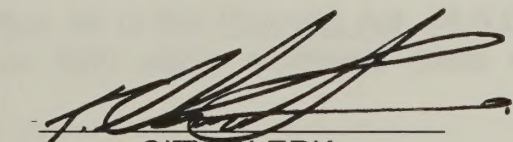
Report 01-020 of the Committee of the Whole,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 19th day of June 2001.


MAYOR


CITY CLERK

City of Hamilton

BY-LAW No. 01-121

To Extend:

Town of Ancaster By-law No. 2000-61

Respecting:

THE EXEMPTION OF LANDS FROM PART LOT CONTROL FOR LANDS WITHIN
"MEADOWLANDS-PHASE 4B"
REGISTERED PLAN OF SUBDIVISION 62M-895

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former Corporation of the City of Hamilton;

AND WHEREAS the Corporation of the Town of Ancaster passed By-law No. 2000-61 to exempt lands within the "Meadowlands Phase 4B" Subdivision, Plan 62M-895 from Part Lot Control;

AND WHEREAS in accordance with Subsection 7.4 of Section 50 of the Planning Act, By-law No. 2000-61 expires on June 29th, 2001;

AND WHEREAS the City of Hamilton Act, 1999 provides that by-laws of the former City of Hamilton continue in force until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered

plan or plans of subdivision or parts of them as are designated in the by-law.

- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the City of Hamilton pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 2.0 of By-law No. 2000-61 is hereby repealed and the following substituted therefore:

"2.0 This By-law shall expire on June 26th, 2002."
2. In all other respects, By-law No. 2000-61 is hereby confirmed, unchanged.

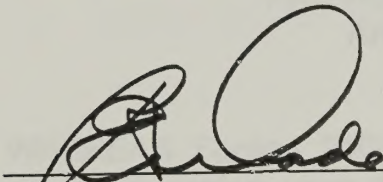


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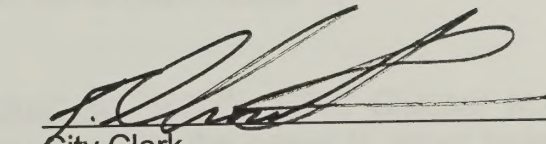
<https://archive.org/details/32022213348986>

3. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 2000-61.

PASSED this 26th day of June, 2001.



Mayor



City Clerk

City of Hamilton

BY-LAW NO. 01-122

To Amend:

By-law No. 233-81 (Glanbrook), as amended,

**PROVIDING FOR THE ERECTION OF STOP SIGNS
AND YIELD SIGNS AT INTERSECTIONS**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon the councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS Section 137(a) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, as amended, confers upon the councils of all municipalities the power to enact by-laws to provide for the erection of Stop Signs at intersections on highways under their jurisdiction;

AND WHEREAS Section 138(2) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, as amended, and Highway Traffic Act Regulation 615, as amended, confers upon the councils of all municipalities the authority to erect Yield Signs on highways under their jurisdiction;

AND WHEREAS on the 16th day of November, 1981, the Council of the Corporation of the Township of Glanbrook enacted By-law No. 233-81 to provide for the erection of Stop Signs and Yield Signs at intersections;

AND WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the Township of Glanbrook;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the Township of Glanbrook continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 233-81, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That **Schedule A (Stop Signs)** of By-law No. 233-81, as amended, is hereby further amended by adding thereto the following items, namely:-

" Hall Road & Woodburn Road
(northerly intersection)

West bound on Hall Road"

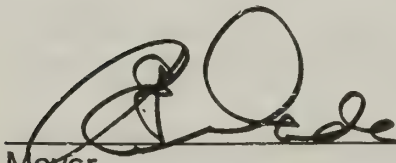
and by deleting therefrom the following items, namely:-

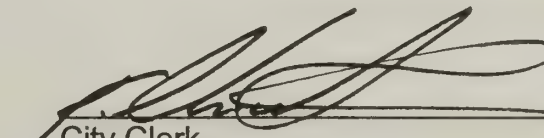
" Woodburn & Hall Road

North bound on Woodburn Road"
between Concessions 8 & 9

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 233-81 (Glanbrook), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 26th day of June, 2001.



Mayor

City Clerk

Bill No. 123

City of Hamilton

BY-LAW NO. 01-123

To Amend:

By-law No. 4818-98 (Stoney Creek), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 22nd day of September, 1998, the Council of the Corporation of the City of Stoney Creek enacted By-law No. 4818-98 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Stoney Creek;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Stoney Creek continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 4818-98, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That **Schedule 14 (Stop Signs)** of By-law No. 4818-98, as amended, is hereby further amended by adding thereto the following item, namely:

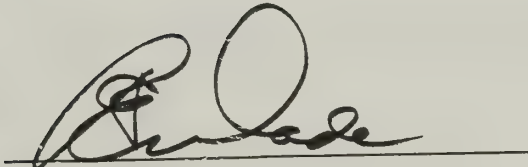
"Millikin Drive

North

Parkmanor Drive"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 4818-98 (Stoney Creek), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 26th day of June, 2001.



Mayor

City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01-124

**TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 90 ON PLAN 62M-511
INTO COMO PLACE**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Como Place within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

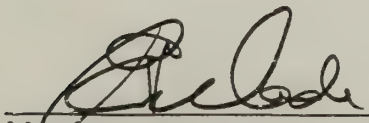
1. That the following land is hereby established and laid out as a public highway to form part of Como Street.

All of Block 90 on Plan 62M-511

City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and enacted this 26th day of June, 2001.



Mayor



City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01-125

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 82 ON PLAN 62M-768
INTO HAWKSWOOD TRAIL

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Hawkswood Trail within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Hawkswood Trail;

All of Block 82 on Plan 62M-768.

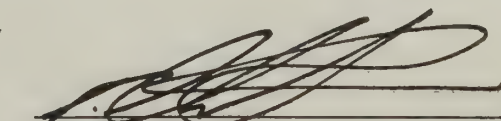
City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and enacted this 26th day of June, 2001.



Mayor



City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01-126

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 83 ON PLAN 62M-768
INTO UPPER PARADISE ROAD

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Upper Paradise Road within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Upper Paradise Road;

All of Block 83 on Plan 62M-768.

City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and enacted this 26th day of June, 2001.



Mayor



City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01-127

**TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 86 ON PLAN 62M-768
INTO REDTAIL CRESCENT**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Redtail Crescent within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Redtail Crescent;

All of Block 86 on Plan 62M-768.

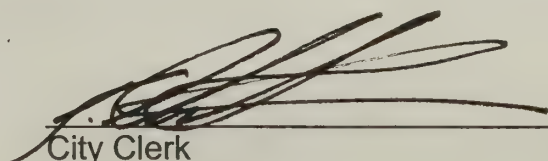
City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and enacted this 26th day of June, 2001.



Mayor



City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01-128

**TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-15843
INTO STRACHAN STREET**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Strachan Street within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Strachan Street;

All of Lots 3 and 4, and Part of Lots 1, 2, 5 and 6, and Part of Alley, Registered Plan 264; Part of Lot 6, Block 18, Registered Plan 127; designated as Part 1 on Plan 62R-15843.

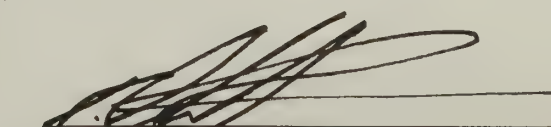
City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and enacted this 26th day of June, 2001.



Mayor



City Clerk

Authority: Item 13, Committee of the Whole
Report 01-021 (TOE01081)
CM: June 26, 2001

Bill No. 129

THE CITY OF HAMILTON

BY-LAW NO. 01-129

**TO INCORPORATE CITY LAND
DESIGNATED AS PART 6 ON PLAN 62R-786
INTO COURTLAND AVENUE**

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Courtland Avenue within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

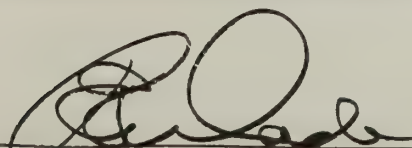
1. That the following land is hereby established and laid out as a public highway to form part of Courtland Avenue;

Part of Lot 18, Registered Plan 921; designated as Part 6 on Plan 62R-786,

City of Hamilton

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and enacted this 26th day of June, 2001.



Mayor



City Clerk

City of Hamilton

BY-LAW NO. 01-130

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

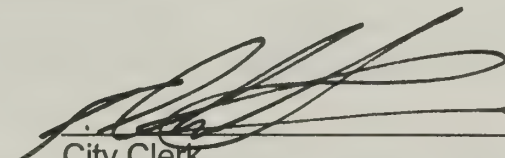
1. That Schedule 10 (Stops at Intersections) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Young	Eastbound and Westbound	Hughson
Main	Eastbound and Westbound	Walter"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 26th day of June, 2001.



Mayor

City Clerk

City of Hamilton

BY-LAW NO. 01- 131

To Amend:

By-law No. 134-77 (Glanbrook), as amended,
and By-law No. 134-20-00 (Glanbrook)

TO AUTHORIZE SPEED LIMITS

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon the councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS Section 128(2) of the Highway Traffic Act, R.S.O. 1990, Chapter H.8, as amended, provides that the council of a municipality may, for motor vehicles driven on a highway or a portion of a highway under its jurisdiction, by by-law prescribe a rate of speed different from the rate set out in Section 128(1) of the Act;

AND WHEREAS on the 14th day of November, 1977, the Council of the Corporation of the Township of Glanbrook enacted By-law No. 134-77 to Authorize Speed Limits;

AND WHEREAS on the 6th day of November, 2000, the Council of the Corporation of the Township of Glanbrook enacted By-law No. 134-20-00, being a by-law to amend By-law No. 134-77 to Authorized Speed Limits On An Area Municipality Road;

AND WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the Township of Glanbrook;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the Township of Glanbrook continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend the Township of Glanbrook's By-laws No. 134-77 and No. 134-20-00, both as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Section 1 of By-law No. 134-77 (Glanbrook), as amended, is hereby further amended by deleting the phrase "**Schedules "a" and "b"**" from the second line thereof and substituting in its place the phrase "Schedules A, B and C".
2. That By-law No. 134-77 (Glanbrook), as amended, is hereby further amended by appending thereto "Schedule C", which form a part of the By-law and which shall be set out as follows:

"Schedule C of By-law No. 134-77"

MAXIMUM RATE OF SPEED - 70 kilometres per hour

<u>Highway</u>	<u>From</u>	<u>To</u>
English Church Road	750 metres east of Highway #6	the easterly end
Guyatt Road	800 metres west of Regional Road 56	Fletcher Road "

and wherein there shall be described those highways or parts of highways for which the maximum speed is prescribed as 70 kilometres per hour and further that:

- (a) column one thereof, entitled "Highway", shall name the highway or part highway where the prescribed 70 kilometre per hour speed limit is in force and effect; and,
- (b) column two thereof, entitled "From", shall define the point upon the subject highway at which the prescribed 70 kilometre speed limit commences; and,
- (c) column three thereof, entitled "To", shall define the point upon the subject highway at which the prescribed 70 kilometre speed limit concludes.

3. That Schedule A of By-law No. 134-77 (Glanbrook), as amended, is hereby further amended by adding thereto the following item, namely:

"Guyatt Road	Regional Road 56	800 metres west of"
		Regional Road 56

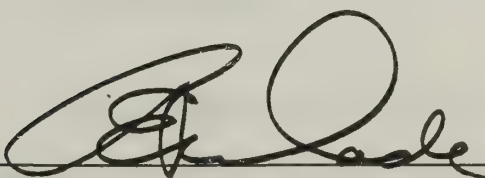
4. That By-law No. 134-20-00 (Glanbrook), as amended, is hereby further amended by deleting therefrom, Section 1, in its entirety, and substituting in its place the following section:

"1. THAT any Roads within the Township of Glanbrook not included in Schedule A (60 kilometres per hour), Schedule B (50 kilometres per hour) or Schedule C (70 kilometres per hour), be designated as highways whereupon the proscribed rate of speed shall be 80 kilometres per hour."

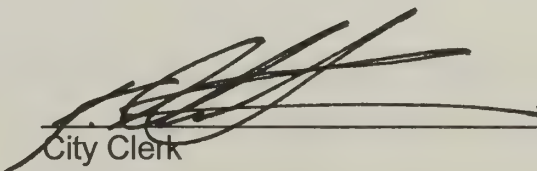
5. Subject to the amendments made in this By-law, in all other respects, By-law No. 233-81 (Glanbrook), and By-law No. 134-20-00 (Glanbrook), including all Schedules thereto, as amended, are hereby confirmed unchanged.

6. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 26th day of June, 2001.



Mayor



City Clerk

CITY OF HAMILTON

BY-LAW NO. 01-132

Being a By-Law to exempt certain lands from the setback provisions of By-Law No.
2613 of the former County of Wentworth.

WHEREAS the Council of the County of Wentworth did pass on the 20th day of March, 1973, By-Law No. 2613, pursuant to the provisions of Section 99(4) of the Public Transportation and Highway Improvement Act, R.S.O., 1970, Chapter 201, as amended, to fix and determine the distance from the centreline of all County Roads within which the owner of any adjacent lands is not to construct any building or structure;

AND WHEREAS pursuant to Section 31 of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended, the Regional Corporation has in respect of the lands included within the regional road system, all the rights, powers and benefits and advantages conferred upon the Corporation of the County of Wentworth;

AND WHEREAS pursuant to the City Of Hamilton Act, 1999, S.O. 1999, Ch. 14, Schedule "C", every by-law or resolution of The Regional Municipality of Hamilton-Wentworth that is in force on December 31, 2000 shall be deemed to be a by-law or resolution of the new City of Hamilton City Council on January 1, 2001, and remains in force, in respect of the part of the municipal area to which it applied on December 31, 2000, until it expires or is repealed or amended to provide otherwise;

AND WHEREAS pursuant to the City of Hamilton Act, 1999, S.O. 1999, Ch.14, Schedule "C", the City has every power and duty of The Regional Municipality of Hamilton-Wentworth under any general or special Act, in respect of the part of the municipal area to which the power or duty applied on December 31, 2000;

AND WHEREAS the City of Hamilton Council considers it desirable and expedient to exempt certain lands located on Wilson Street East in the former Town of Ancaster from the provisions of the aforesaid By-Law 2613 requiring a setback of 21.3 m (70 feet) from the centreline of construction of Wilson Street East for the construction of a medical/professional building on the north side of Wilson Street East, approximately 150 m west of Halson Street.

NOW THEREFORE, the Council of The City of Hamilton enacts as follows:

1. Notwithstanding the provisions of By-Law No. 2613 of the former County of Wentworth, the site of the proposed medical/professional building described in Column 1 of Schedule "A" hereto attached, having a minimum setback indicated in Column 2, from the centreline of construction of Wilson Street East for the highway indicated in Column 3, shall be deemed to be not in contravention of the provisions of Section 3(1) of the aforesaid By-Law, so long as the proposed medical/professional building remains.
2. Schedule "A" to this By-Law forms part of this By-Law.
3. This By-Law shall come into force and affect on the date of its passing and enactment.

PASSED and enacted this 26th day of June, 2001.



Mayor

City Clerk

SCHEDULE "A"

TO BY-LAW NO.

COLUMN 1

COLUMN 2

COLUMN 3

Description of Lands

Part of Lot 44, Concession 2,
Geographic Township of Ancaster,
more particularly described
as 201 & 209 Wilson Street East
in the City of Hamilton

18.24 m

Wilson Street East

City of Hamilton

BY-LAW NO. 01 - 133

To Amend:

Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 95-182 (Hamilton)

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 1451 – 1471 UPPER JAMES STREET

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is intended to establish special requirements under Section 19B of By-law No. 6593 (Hamilton) passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 95-182 (Hamilton) on the 26th day of September 1995 to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593 (Hamilton), for the "G" District, in respect of the lands located at 1451 – 1471 Upper James Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, etc.) District regulations as set out under Section 13 of Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 95-182 (Hamilton), applicable to the lands shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, are further amended to the extent only of the special requirements that,

- (a) Section 3. of By-law No. 95-182 (Hamilton) be amended to add the following permitted uses:
 - "(4) Automobile sales and leasing establishments; and,
 - (5) An automobile body/fender repair shop provided that it is accessory to and located within the same building as an automobile sales and leasing establishment; and,
 - (6) A private manual carwash provided that it is accessory to and located within the same building as an automobile sales and leasing establishment"; and,
- (b) notwithstanding Section 13.(1)(xv) of Zoning By-law No. 6593 (Hamilton), a business identification roof sign, having a vertical dimension of not more than 6.0 metres, shall be permitted only in conjunction with an automobile sales and leasing establishment; and,
- (c) notwithstanding Section 13.(9) (ii) of Zoning By-law No. 6593 (Hamilton) and Section 3. (g) of Zoning By-law 95-182 (Hamilton), a minimum 3.0 metre wide landscape area, shall be provided and maintained along the entire westerly lot line only in conjunction with an automobile sales and leasing establishment, except for any area used for driveway access; and,
- (d) notwithstanding Section 3. (i) of Zoning By-law 95-182 (Hamilton), a planting strip not less than 9.0 metres in width and a visual barrier between 1.8 metres and 2.0 metres in height shall be provided and maintained along the entire easterly lot line only in conjunction with an automobile sales and leasing establishment; and,
- (e) notwithstanding subsection 13.(3) of Zoning By-law No. 6593 (Hamilton), a decorative wall structure shall be provided and maintained at the south-west corner of the property on the following basis:

- (i) Said structure shall be parallel to the full length of the daylight triangle and extend a minimum of 15.0 metres from each end thereof along the southerly and westerly lot lines; and,
- (ii) Said structure shall be located within the landscaped planting strip; and,
- (iii) The height of said structure parallel to the daylight triangle shall be not less than 1.2 metres and not more than 2.0 metres; and,
- (iv) The height of said structure appurtenant to the southerly and westerly lot lines shall be not less than 1.0 metre, except for the last 5.0 metres which shall be not less than 0.6 metre; and,
- (v) Outdoor speakers shall be prohibited; and,

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions, subject to the special requirements referred to in section 2 of By-law No. 95-182 (Hamilton) and section 1 of this by-law.

3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1342a.

4. Sheet No. E-9D of the District Maps is amended by marking the lands referred to in section 2 of By-law No. 95-182 (Hamilton), as amended by section 1 of this by-law, as S-1342a.

5. In all other respects, By-law No. 95-182 (Hamilton) is hereby confirmed, unchanged.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

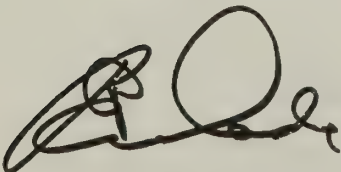
PASSED this

26th

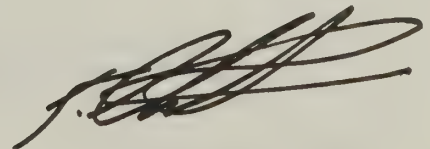
day of

June

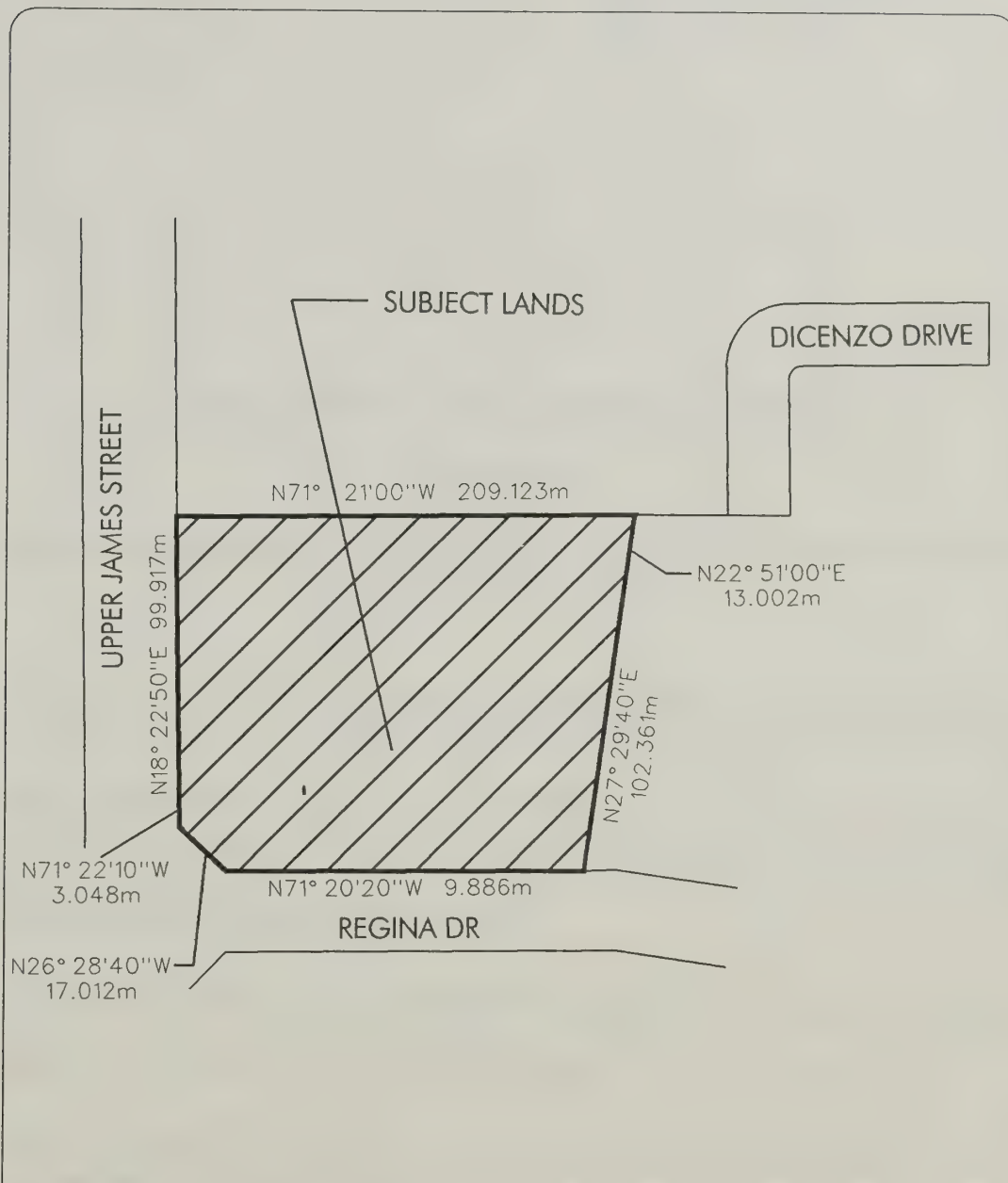
A.D. 2001



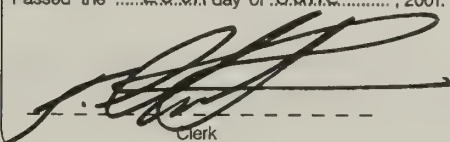
MAYOR

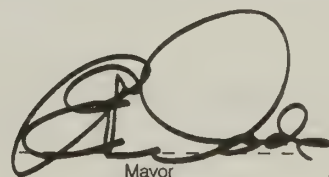


CITY CLERK



This is Schedule "A" to By-Law No. 01-133.....
 Passed the 26th day of June....., 2001.


 Clerk


 Mayor

City of Hamilton

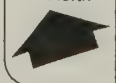
Schedule "A"

Map Forming Part of
 By-Law No. 01-133
 to Amend By-Law No. 6593

Planning and Development Department

Legend

 Further modification to the "G"-H"
 (Neighbourhood Shopping Centre, Etc.
 - Holding) District, Modified

North 	Scale NOT TO SCALE	Reference File No. ZAC-01-13
	Date May, 2001	Drawn By L.M.

City of Hamilton

BY-LAW NO. 01-134

To Amend:

Zoning By-law No. 87-57 (Ancaster), as amended

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 1521 FIDDLERS GREEN ROAD
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987 and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "A", Map 2 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing from the Agricultural "A" Zone to the Agricultural "A-376" Zone those lands located within part of lot 43, concession 6, geographic township of Ancaster and more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following:

A-376 As permitted under the temporary use provisions of section 39 of the Planning Act (R.S.O.1990 Chapter P-13) for a period of three years from the date of passing this amending by-law, the land zoned A-376 described as part of lot 43, concession 6, geographic township of Ancaster and more particularly shown on Schedule "A" attached hereto, shall,

- (a) notwithstanding any provisions of section 8.1 of the Agricultural "A" Zone, permit the following use, Golf Driving Range;
- (b) notwithstanding the provisions of Sections 8.2: Regulations of the Agricultural "A" Zone, the provisions of Section 31.2: Regulations of Section 31: Private Open Space "O1" shall apply to the golf driving range use.
- (c) notwithstanding subsection 7.14(a)(xiii) of the General Provisions Section, the golf driving range use shall be exempt from the requirement of the parking area being constructed with a stable surface of concrete or asphalt.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

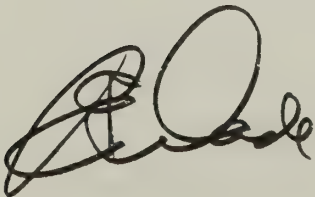
PASSED this

26th

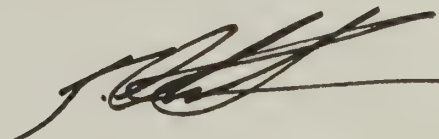
day of

June

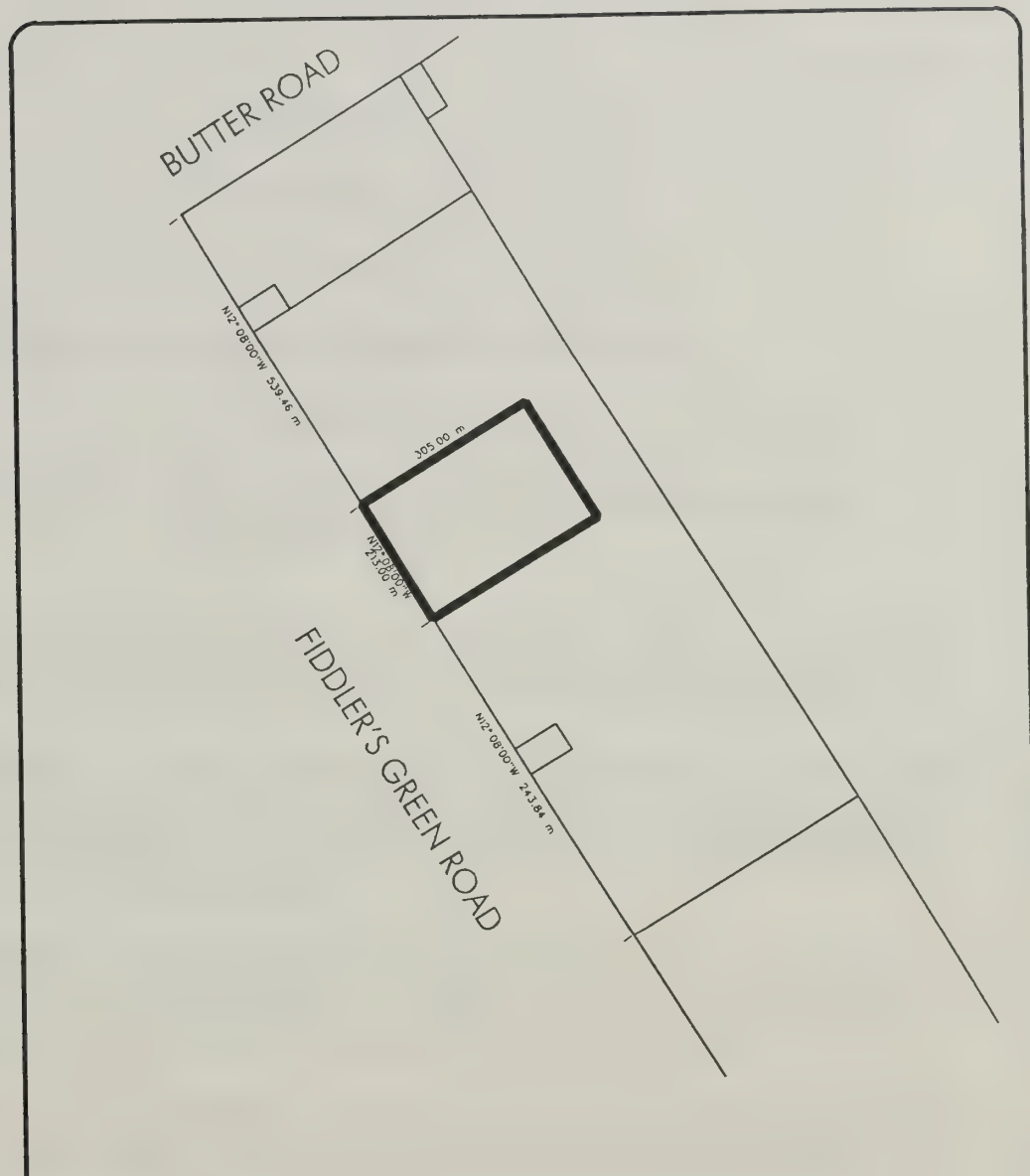
A. D. 2001



MAYOR



CITY CLERK



This is Schedule "A" to By-Law No. 01-134
 Passed the 26th day of June, 2001.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 01-134
 to Amend By-Law No. 87-57

Planning and Development Department

Legend



Change in zoning from the Agricultural "A" Zone
 to the Agricultural "A-376" Zone

North



Scale
 NOT TO SCALE

Date
 April 6, 2001

Reference File No.

ZAC-01-05

Drawn By

PB

City of Hamilton

BY-LAW NO. 01-135

To Amend:

Zoning By-law No. 87-57 (Ancaster), as amended

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 34 STONE CHURCH ROAD
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987, and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended by By-law No. 98-61, is hereby further amended by adding the following :

C1-422 Notwithstanding any provisions of Section 22.1 of the Neighbourhood Commercial "C1" District, the following use shall be permitted as it affects the lands zoned Neighbourhood Commercial "C1-422" District by this by-law, described as part of lots 52 and 53,

concession 3, geographic township of Ancaster and municipally known as 34 Stone Church Road (former Town of Ancaster), the following additional use shall be permitted:

Animal Hospital without outside runs.

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED this

26th

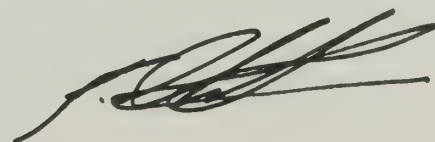
day of

June

A. D. 2001



MAYOR



CITY CLERK

City of Hamilton

BY-LAW NO. 01-136

To Amend:

Zoning By-law No. 3692-92 (Stoney Creek)

Respecting:

**LANDS LOCATED AT 403 MCNEILLY ROAD
(formerly Stoney Creek)**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under Subsection 9.5.7 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1994;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 3 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended as follows:

- (a) by changing from the Neighbourhood Development "ND" Zone to the General Industrial "MG" Zone, the land comprised in Block "1" and;
- (b) by changing from the Neighbourhood Development "ND" Zone to the Open Space "OS" Zone, the land comprised in Block "2" and;
- (c) by changing from the Neighbourhood Development "ND" Zone to the General Industrial "MG-8 (H)" Zone the land comprised in Block "3";

the extent and boundaries of which Blocks "1", "2" and "3" are shown on a plan hereto annexed as Schedule "A".

2. Subsection 9.5.7, "Special Exemptions", of Section 9.5, Neighbourhood Development "ND" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), is hereby amended by adding a new special exemption, "MG-8 (H)", which is applicable to the lands

comprised in Block "3", to include the following variances:

- (a) Notwithstanding the provisions of Section 3.8, "Holding Zones", the Holding "H" provision applicable may be removed from those lands zoned "MG-8 (H)" once the owner has contributed their fare share to the urbanization of McNeilly Road and upon the merging of the lands with 399 McNeilly Road all to the satisfaction of the General Manager of the Planning and Development Department.
- (b) The "H" symbol shall be removed by amendment to the by-law and the development of the lands zoned "MG-8 (H)" by this by-law may at such time proceed in accordance with the General Industrial "MG" Zone regulations of Zoning By-law No. 3692-92.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

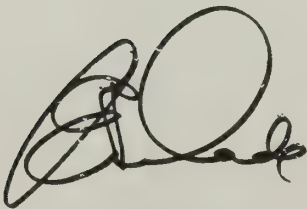
PASSED this

26th

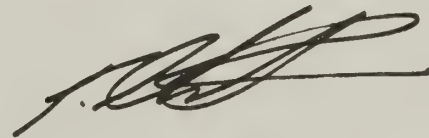
day of

June

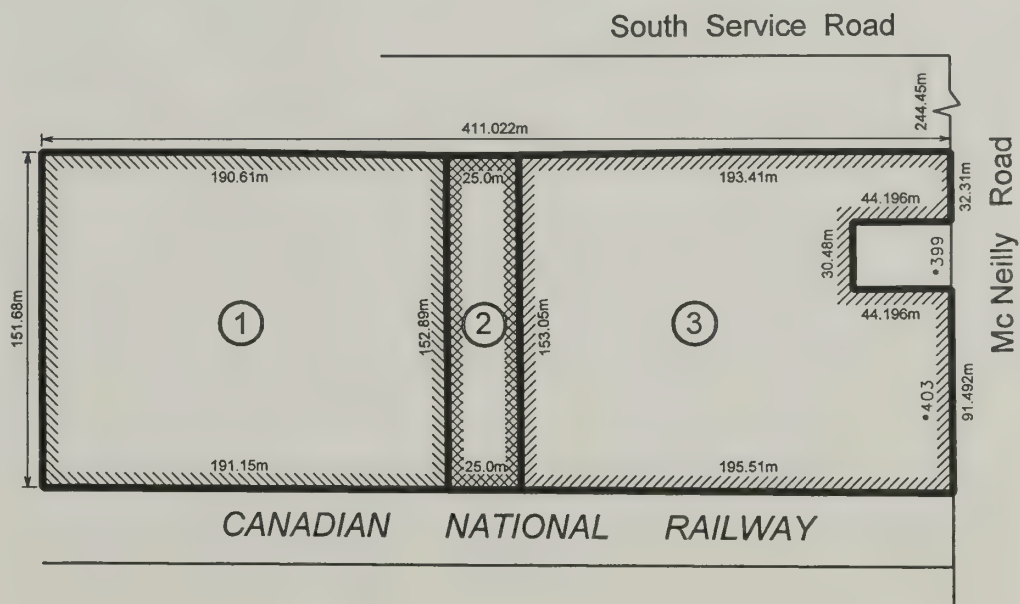
A.D. 2001



MAYOR



CITY CLERK



This is Schedule "A" to By-Law No.01-136
 Passed the ..26th... day of June....., 2001.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 01-136
 to Amend By-Law No. 3692-92

Planning and Development Department

Legend



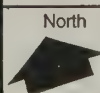
CHANGE FROM NEIGHBOURHOOD
 DEVELOPMENT "ND" ZONE TO
 GENERAL INDUSTRIAL "MG" ZONE



CHANGE FROM NEIGHBOURHOOD
 DEVELOPMENT "ND" ZONE TO OPEN
 SPACE "OS" ZONE



CHANGE FROM NEIGHBOURHOOD
 DEVELOPMENT "ND" ZONE TO GENERAL
 INDUSTRIAL "MG-8 (H)" ZONE



Scale
 NOT TO SCALE

Date
 May, 2001

Reference File No.
 ZBA/SC/00-02

Drawn By
 S.N.

City of Hamilton

BY-LAW NO. 01-137

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

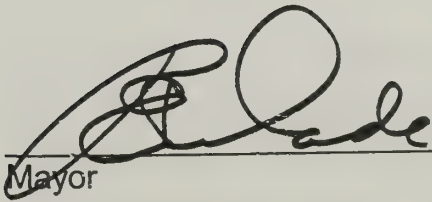
"Campbell

Eastbound and Westbound

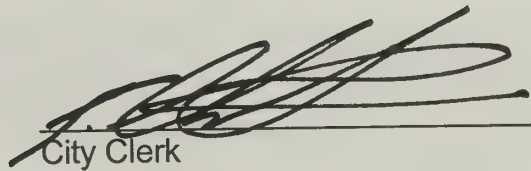
Ellis"

2. Subject to the amendment made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 26th day of June, 2001.



Mayor



City Clerk

City of Hamilton

BY-LAW NO. 01-138

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

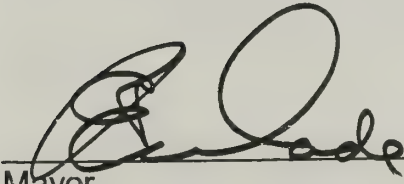
"Roxborough

Eastbound and Westbound

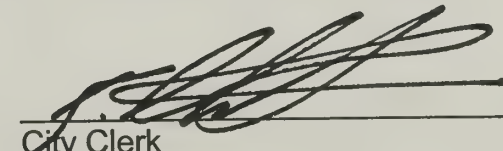
Balmoral"

2. Subject to the amendment made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 26th day of June, 2001.



Mayor



City Clerk

Authority:
Item 2 - Committee of the Whole 01-005
February 20, 2001

Bill No. 139

**CITY OF HAMILTON
BY-LAW 01- 139**

**BEING A BY-LAW TO AMEND THE WATERWORKS
BY-LAW R84-026, AS AMENDED**

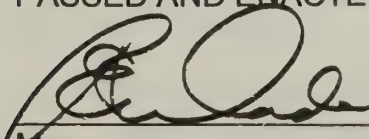
WHEREAS Council of the City of Hamilton, on the 20th day of February, 2001 did approve Item 2 of Committee of the Whole Report 01-005 authorizing the 2001 Sewer and Water Rates to come into force and take effect January 1, 2001 and March 1, 2001, as set out herein.

AND WHEREAS Council of the City of Hamilton on the 20th day of February, 2001 did approve Item 2 of Committee of the Whole Report 01-005 authorizing the Waterworks By-law R84-026 to be amended to reflect the 2001 Sewer and Water Rates.

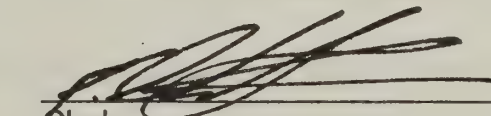
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedules "A" and "B" to the Waterworks By-law R84-026, as amended, are hereby repealed and Schedules "A" and "B" attached to this By-law be substituted therefor.
2. That Schedule "C" to the Waterworks By-law R84-026, as amended is hereby repealed and Schedule "C" attached to this By-law be substituted therefor.
3. That Schedule "G" to the Waterworks By-law R84-026, as amended, is hereby repealed and Schedule "G" attached to this By-law be substituted therefor.
4. That clause 1 of this By-law shall be deemed to have come into force and take effect as of January 1, 2001 and the remainder shall be deemed to come into force and take effect as of March 1, 2001.

PASSED AND ENACTED THIS 26th day of June, 2001.



Mayor



Clerk

SCHEDULE "G" TO BY-LAW NO. R84-026

TABLE OF METERED RATES

EFFECTIVE MARCH 1, 2001

(Referred to in Section 12(2), (3) & (4) & 13(2))

A) RESIDENTIAL METER RATES FOR SERVICE WITH A METER 20MM OR SMALLER

Minimum Charge

- (i) The minimum charge per billing period including the use of the specified volume of water is as follows:

Minimum charge per Quarterly Billing Period	\$11.85
For Consumption of the first 15 cubic meter (cu.m.) or part thereof	

Consumption Rate

- (ii) The consumption charge per cubic meter (cu.m.) for the amount of water used over and above the first specified column for the minimum charge per billing period is as follows:

Consumption Rate per Cubic Meter (cu.m.)	\$0.5500
--	----------

B) COMMERCIAL, INSTITUTIONAL AND INDUSTRIAL RATES INCLUDING RESIDENTIAL RATES FOR SERVICES WITH A METER GREATER THAN 20MM

Minimum Charge

- (i) The minimum charge per billing period including the use of the specified volume of water is as follows:

Minimum Charge per Billing Period			
Meter Size (in mm)	Meter size (in inches)	Quarterly Billing	Monthly Billing
16 mm	5/8"	\$ 11.85	\$ 3.95
20 mm	3/4"	\$ 11.85	\$ 3.95
25 mm	1"	\$ 62.64	\$ 20.88
38 mm	1-1/2"	\$ 69.60	\$ 23.20
50 mm	2"	\$ 82.74	\$ 27.58
75 mm	3"	\$143.37	\$ 47.79
100 mm	4"	\$183.66	\$ 61.22
150 mm	6"	\$324.96	\$108.32
200 mm	8"	\$561.09	\$187.03
250 mm	10"	\$863.82	\$287.94
Consumption for		45 cu.m.	15 cu.m.

* Note: minimum charges for commercial accounts with meter sizes under 25 mm, that are billed quarterly, have been increased. For these customers, minimum consumption is the first 15 cu.m.

- (ii) The consumption charge for the amount of water used over and above the first specified column for the minimum charge per billing is as follows:

Consumption Rate per Cubic Meter (cu.m.)	\$0.5500
--	----------

C) SANITARY SEWER SURCHARGE RATE 100% OF WATER CONSUMPTION

SCHEDULE "C" TO BY-LAW NO. R84-026

MISCELLANEOUS RATES FOR WATER **EFFECTIVE MARCH 1, 2001**

(Referred to in Section 12(6), (7) and (8))

1. Travelling Shows

The deposit required from travelling shows is Two Hundred Dollars (200.00) and the fee for connecting and disconnecting the water is the charge applicable for the size of the meter plus the applicable meter rate as set forth in Section 13 of Schedule "E" to this By-law.

2. Tank Trucks

- (a) The rate payable for water supplied to tank trucks at the City's key and coin operated stations be \$0.8250 per cubic metre or part thereof.
- (b) That all Water Haulage customers currently having a private water connection for business purposes be billed at the water station rate (\$0.8250 m3) whether they have a sewer connection or not.
- (c) That all new Water Haulage customers be required to use the water stations and that no new private water connections be approved for new or existing Water Haulers; only water stations provided by the City are to be used to fill tank trucks.

Such trucks shall only be supplied at the following locations:

- (i) Shavers Road, Ancaster
- (ii) Dartnall Road, Hamilton

3. Areas Outside the City Area

The rate for water supplied to municipalities for the owner or occupier of any lands outside the City area is the applicable meter rate set forth in Schedule "G", plus fifty per cent (50%) surcharge or such other surcharge as may be specifically defined in the Agreement between the City and the municipality, owner or occupier of the lands outside the City area.

SCHEDULE "A" TO BY-LAW NO. R84-026

**NON-METERED RATES
EFFECTIVE JANUARY 1, 2001**

Water

Assessment	City of Hamilton
From 0 – 100,000	\$216.83 per annum
100,000 and over	\$216.83 per annum

SANITARY SEWER SURCHARGE RATE 100%

SCHEDULE "B" TO BY-LAW NO. R84-026

**NON-METERED RATES
EFFECTIVE JANUARY 1, 2001**

Water

Assessment	Stoney Creek
From 0 – 100,000	\$216.83 per annum
100,000 and over	\$216.83 per annum

SANITARY SEWER SURCHARGE RATE 100%

City of Hamilton

BY-LAW NO. 01- 140

To Amend:

By-law 76-46 (Ancaster), as amended,
By-law 90-31-T (Flamborough), as amended,
By-law 89-72 (Hamilton), as amended,
and By-law No. R89-038 (Hamilton-Wentworth), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of June, 1976, the Council of the Corporation of the Town of Ancaster enacted By-law No. 76-46 to provide for the regulation of traffic on highways within the jurisdiction of the Corporation of the Town of Ancaster;

AND WHEREAS on the 18th day of April, 1990, the Council of the Corporation of the Town of Flamborough enacted By-law No. 90-31-T to regulate traffic on highways under its jurisdiction and control;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS on the 21st day of March, 1989, the Council of The Regional Municipality of Hamilton-Wentworth enacted By-law No. R89-038 to regulate traffic on Regional Roads and on highways within 30 metres of any Regional Road;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality of the Corporation of the Town of Ancaster, the former area municipality of the Corporation of the Town of Flamborough, the former area municipality the Corporation of the City of Hamilton, and the former regional municipality of the Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the Town of Ancaster, the Corporation of the Town of Flamborough, the Corporation of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth, continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 76-46, as amended, By-law 90-31-T, as amended, By-law No. 89-72, as amended, and By-law No. R89-038, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule A (Prohibited Parking) of By-law No. 76-46, as amended, is hereby further amended by adding thereto, under columns 1, 2, 3, and 4, the following item, namely:

"Sulphur Springs Road	Both	156 feet south of #820 Sulphur Springs Road	a point 299 feet northerly	At Any Time"
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2. That Schedule 5 (Parking Prohibited, Monday through Friday) of By-law No. 90-31-T, as amended, is hereby further amended by deleting therefrom the following item, namely:

"Braeheid	west	448 feet south of Rockhaven	695 feet south of Rockhaven	7:30 a.m. to 4:30 p.m." Monday to Friday
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3. That Schedule 8 (Parking Prohibited - Specific Times and Periods) of By-law No. 90-31-T, as amended, is hereby further amended by adding thereto the following item, namely:

"Braeheid Lane	West	448 feet south of Rockhaven	695 feet south of Rockhaven	15 Minute Limit" 8:00 a.m. - 4:30 p.m. Monday to Friday
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4. That Schedule 20 (No Parking Areas) of By-law No. R89-038, as amended, is

hereby further amended by adding thereto the following items namely:

"Mud	Both	Seventh Road East to the west property line of No. 725 Mud Street East	Anytime"
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and by adding to Section "A" thereof the following items, namely:

"Main	South	King to Strathearne
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Main	North	King to Barons
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Main	North	Cope to Strathearne"
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and by deleting therefrom the following item, namely:

"Main	Both	Delta to Strathearne"
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5. That Schedule 22 (Commercial Loading Zones) of By-law No. R89-038, as amended, is hereby further amended by adding thereto the following item, namely:

"Cannon	North	42 feet	57 feet east of Chestnut	7:00 a.m. - 10:00 a.m."
				Monday to Friday

6. That Schedule 24 (Parking Meter Locations) of By-law No. 89-72, as amended, is hereby further amended by adding to Section 2(a) thereof (two hour limit / fifty cents per hour) the following item, namely:

"Garside	East	Main to 96 feet northerly"
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7. That Schedule 25 (Parking Time Limits) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

"Catharine	Both	Augusta to Charlton	1 hr	8 am - 6 pm	Mon - Fri"
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8. That Schedule 26 (No Parking Areas) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Kelly	South	Mary to easterly end at alley	7 am - 6 pm	Mon - Sat
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Catharine	East	Main to Augusta		Anytime
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Dagoon	North	Fusilier to 120 feet westerly therefrom		Anytime
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Greendale	South	Cranbrook to Garrow		Anytime
-----------	-------	---------------------	--	---------

& West

Garside	West	Main to 96 feet northerly	Anytime"
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and by deleting therefrom the following items, namely:

"Catharine	East	Main to Charlton	Anytime
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Greendale	South	Cranbrook to southerly leg of Greendale	Anytime
-----------	-------	---	---------

Greendale	South	from the southerly curb line of the east-west leg of Greendale to 95 ft. southerly therefrom	Anytime"
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9. That Schedule 34 (Permit Parking) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:

"Grenfell	South	commencing 79 feet east of Martimas and extending 17 feet easterly therefrom	Anytime"
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and by deleting therefrom the following items, namely:

"Park Row	East	commencing 124 feet south of Main and extending 21 feet southerly therefrom	Anytime
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Francis	South	commencing 218 feet east of Douglas and extending 19 feet easterly therefrom	Anytime"
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10. That Schedule 35 (Wheelchair Loading Zones) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:

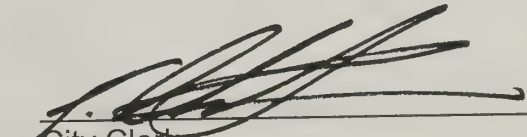
"Birge	North	31 feet 40 feet east of Emerald	Anytime"
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11. Subject to the amendments made in this By-law, in all other respects, By-laws No. 76-46 (Ancaster), No. 90-31-T (Flamborough), No. 89-72 (Hamilton) and No. R89-038 (Hamilton-Wentworth), each including all Schedules thereto, as amended, are hereby confirmed unchanged.

12. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 26th day of June, 2001.



Mayor

City Clerk

City of Hamilton

BY-LAW NO. 01-141

To Amend:

Zoning By-law No. 3692-92 (Stoney Creek)

Respecting:

**LANDS LOCATED ON THE EAST SIDE OF WINONA ROAD
NORTH OF BARTON STREET
(formerly Stoney Creek)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986.

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under Subsections 6.5.7 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May 1994;

AND WHEREAS Council for the former City of Stoney Creek held a Public Meeting under the Planning Act on October 4, 2000 on the draft plan of subdivision known as The Foothills of Winona and on the Zoning By-law Amendment;

AND WHEREAS Council for the former City of Stoney Creek, on October 10, 2000, recommended approval of a draft plan of subdivision known as The Foothills of Winona;

AND WHEREAS Council for the former City of Stoney Creek, on October 10, 2000, also recommended that the draft zoning by-law be approved, but not be forwarded to Council until the draft plan of subdivision has been approved by the General Manager of the Community Planning and Development Division of the Region of Hamilton-Wentworth/City of Hamilton;

AND WHEREAS the subdivision known as The Foothills of Winona was draft plan approved by the General Manager of the Community Planning and Development Department, City of Hamilton on June 26, 2001;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 9 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended,

- (a) by changing from the Agricultural Specialty "AS" Zone to the Single Residential "R2" Zone, the land comprised of Block "1"; and
- (b) by changing from the Agricultural Specialty "AS" Zone to the Single Residential "R3" Zone, the land comprised of Block "2"; and
- (c) by changing from the Agricultural Specialty "AS" Zone to the Single Residential "R4-9(H)" Zone, the land comprised of Block "3"; and
- (d) by changing from the Agricultural Specialty "AS" Zone to the Neighbourhood Development "ND" Zone, the land comprised of Block "4";

the extent and boundaries of which Blocks "1", "2", "3" and "4" are shown on a plan hereto annexed as Schedule "A".

2. Subsection 6.5.7, "Special Exemptions", of Section 6.5, Single Residential "R4" Zone, of Zoning By-law No. 3692-92 (Stoney Creek), is hereby amended by adding a new special exemption, "R4-9 (H)" Zone, which is applicable to the lands comprised in Block "3", to include the following variances:

- (a) Notwithstanding the provisions of paragraph (d) of Section 6.5.3 of Zoning By-law No. 3692-92 (Stoney Creek) the following provisions shall apply:

Minimum Side Yard – No part of any dwelling shall be located closer than 1.2 metres to a side lot line, except as provided in clauses (i), (ii) and (iii) below:

- (i) The minimum side yard on the side of the dwelling containing an attached garage or attached carport may be .6 metres except for a side yard which abuts a flankage street;
 - (ii) On an interior lot, where no attached garage or attached carport is provided, the minimum side yard on one side shall be 2.4 metres: and;
 - (iii) On a corner lot, the minimum side yard abutting the flankage lot line shall be 2.4 metres, except that an attached garage or attached carport which fronts on the flankage street shall not be located within 5.8 metres of the flankage lot line.
- (b) Notwithstanding the definition of "Highway" in Section 2, "Definitions" of Zoning By-law No. 3692-92 (Stoney Creek), on those lands zoned "R4-9 (H)" by this by-law, a private road/condominium road shall be considered to be a street.
- (c) Notwithstanding the provisions of Section 3.8, "Holding Zones", of Zoning By-law No. 3692-92 (Stoney Creek), on those lands zoned "R4-9 (H)" by this by-law, the Holding "H" provision may be removed upon the approval of a Draft Plan of Condominium by the General Manager of the Community Planning and Development Department of the City of Hamilton.
- (d) The "H" symbol shall be removed by amendment to the by-law and the development of the lands zoned "R4-9 (H)" by this by-law may at such time proceed in accordance with the Single Residential "R4" Zone regulations of Zoning By-law No. 3692-92.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

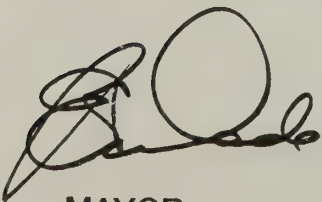
PASSED this

26th

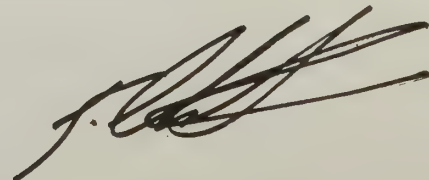
day of

June

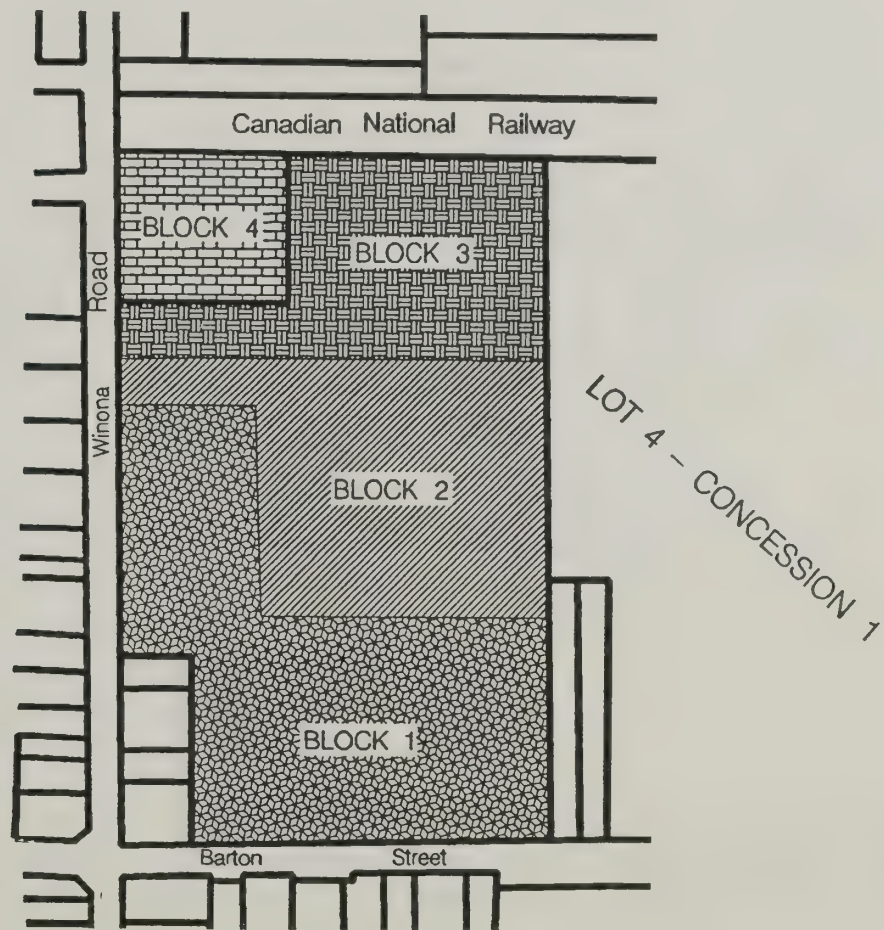
A.D. 2001



MAYOR

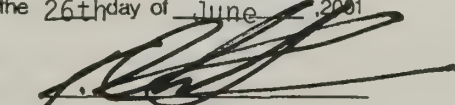


CITY CLERK



This is Schedule "A" to By-law No. 01-141

Passed the 26th day of June, 2001


Clerk


Mayor

City of Hamilton

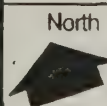
SCHEDULE "A"

Map forming part of By-law No. 01-141

Planning and Development Department

Legend

-  BLOCK 1 - CHANGE FROM AGRICULTURAL SPECIALTY "AS" ZONE TO SINGLE RESIDENTIAL "R2" ZONE
-  BLOCK 2 - CHANGE FROM AGRICULTURAL SPECIALTY "AS" ZONE TO SINGLE RESIDENTIAL "R3" ZONE
-  BLOCK 3 - CHANGE FROM AGRICULTURAL SPECIALTY "AS" ZONE TO SINGLE RESIDENTIAL "T4-B (H)" ZONE
-  BLOCK 4 - CHANGE FROM AGRICULTURAL SPECIALTY "AS" ZONE TO NEIGHBOURHOOD DEVELOPMENT "ND" ZONE



Scale
NOT TO SCALE

Date
JUNE, 2001

Reference File No.
075-1622

Drawn By
P.T.

THE CITY OF HAMILTON

BY-LAW NO. 01-142

To Confirm the Proceedings of City Council at its meeting held on June 26, 2001.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

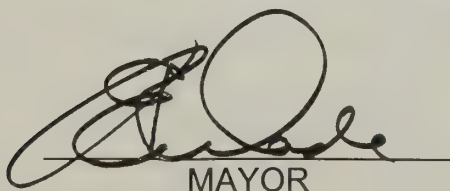
1. The Action of City Council at its meeting held on the 26th day of June, 2001 in respect of each recommendation contained in:

Report 01-021 of the Committee of the Whole,
Report 01-016 of the Hearings Sub-Committee
Report 01-017 of the Hearings Sub-Committee
Report 01-003 of the Grants Sub-Committee

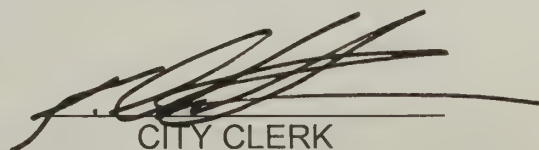
considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 26th day of June 2001.



MAYOR



CITY CLERK

Bill No. 143

City of Hamilton

BY-LAW NO. 01- 143

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

LONG TERM CARE FACILITIES, RESIDENTIAL CARE FACILITIES,
SHORT TERM CARE FACILITIES, HOSTELS, EMERGENCY SHELTERS,
RETIREMENT HOMES, CORRECTIONS RESIDENCES AND CORRECTIONAL
FACILITIES

WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section -- of Report ----- of the ----- Hearings Sub-Committee at its meeting held on the --- - day of -----2001, recommended that By-law No. 6593 (Hamilton) be amended to provide for a general text amendment to the said by-law with respect to long term care facilities, residential care facilities, short term care facilities, hostels, emergency shelters, corrections residences and correctional facilities as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 2 of Zoning By-law No. 6593 (Hamilton) is hereby amended by,

(a) Adding a new definition as follows;

“(2)A.(ia) **“Corrections Residence”** means a group living arrangement, in a secure facility, for people who have been placed on probation, who have been released on parole, or who are admitted to the facility for

correctional or rehabilitation purposes, and live together under responsible twenty-four (24) hour secure supervision consistent with the requirements of its residents and accepted standards for secure detention. A corrections residence is licensed, funded, approved or has a contract or agreement with the Province of Ontario or Federal Government but it is not considered as a correctional facility; an emergency shelter; or a residential care facility."

- (b) deleting clause (2)A.(x) in its entirety.
- (c) renumbering the existing clause (2) A.(ixa) to clause (2)A.(x)
- (d) adding a new definition as clause (2)A.(ixa) as follows;
 - (2)A.(ixa) "Emergency shelter means a fully detached building or portion thereof used for persons in a crisis situation requiring shelter, protection, assistance and counselling or support which is intended to be short term accommodation of a transient nature. An emergency shelter does not include a residential care facility; a lodging home; a corrections residence; a correctional facility; or any other facility which is licensed, approved or regulated under any general or special Act.
- (e) deleting clause (2)A.(xiia) in its entirety;
- (f) deleting clause (2)A.(xiiaa) in its entirety and replacing it with the following definition:
 - (2)A.(xiiaa) "Residential care facility means a group living arrangement, within a fully detached residential building occupied wholly by a minimum of four supervised residents and a maximum number of supervised residents as permitted by the district, exclusive of staff, residing on the premises because of social, emotional, mental or physical handicaps or problems or personal distress and that is developed for the well being of its residents through the provision of self-help, guidance, professional care and supervision not available in the residents own family, or in an independent living situation or if:

- i) the resident was referred to the facility by hospital, court or government agency; or
- ii) the facility is licensed, funded, approved or has a contract or agreement with the federal, Provincial or municipal governments.

A residential care facility is not considered as an emergency shelter, lodging house, corrections residence; correctional facility or retirement home.”

- (g) deleting clause (2)A.(xiiaaa) and replacing it with the following new definition:

(2)A.(xiiaaa) Retirement home means a fully detached building for the accommodation of seniors at least 60 years of age and older in single or double rooms that do not contain kitchens but have communal facilities such as kitchen/dining facilities, laundry facilities, lounges and where the residents are supervised in their daily living activities. A retirement home is licensed by the municipality and it is not considered as a long term care facility; an emergency shelter; a lodging home; a residential care facility; or, any other facility which is licensed, approved or regulated under any general or special Act.

- (h) adding a new definition as clause (2)B.(ia) as follows:

(2)B.(ia) Correctional facility shall mean a building or part of a building used as secure facility for people who are on remand, serving a sentence or awaiting transfer to another correctional facility and is owned, operated, funded or supervised by the Province of Ontario but does not include a corrections residence.

- (i) deleting clause (2)B.(iib) in its entirety;

- (j) deleting clause (2)B. (iv) and replacing it with the following new definition:

(2)B.(iv) "Long-term care facility means an institutional care facility as defined under the Long Term Care Facility Act"

2. That Subsection 3.(3)(ii) of Zoning By-law No. 6593 is hereby amended by deleting the term "home for the aged" and replacing it with the term "long term care facility" in the second line.

so that the entire clause reads as follows:

"A bulletin board for a public hospital, private hospital, long term care facility, children's residence, sanatorium or other such institutional use, if situate on the premises, and either attached to the building, or at least 3.0 metres (9.84 feet) from the nearest street line, of an area not more than 1.2 metres (12.92 square feet), and neither non-illuminated or illuminated by non-flashing, indirect or interior means only;"

3. Section 4 of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding the following new subsection as follows:

4.(7) No additional residential care facilities, retirement homes, emergency shelters, corrections residence and correctional facilities or expansions of existing residential care facilities, retirement homes, emergency shelters, corrections residence or correctional facilities shall be permitted in the areas identified on Schedule "O" of Zoning By-law No. 6593 – Moratorium Areas for Residential Care Facilities, Retirement Homes, Emergency Shelters, Corrections Residence and Correctional Facilities.

4. Section 8 of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

- (a) adding the following new uses to subsection 8.(1):

(iib) residential care facility for the accommodation of not more than six residents.

(iic) retirement home for the accommodation of not more than six residents.

- (b) adding the following two new subsections as follows:

DISTANCE REQUIREMENTS

- 8.(5) Except as provided in subsection 6, every residential care facility and retirement home shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.
- 8.(6) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility or existing retirement home may be expanded or redeveloped to accommodate not more than the permitted number of residents.

5. Section 8A of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding the following two new subsections as follows:

DISTANCE REQUIREMENTS

- 8A.(5) Except as provided in subsection 6, every residential care facility and retirement home shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.
- 8A.(6) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility or existing retirement home may be expanded or redeveloped to accommodate not more than the permitted number of residents.

6. Section 8B of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding the following two new subsections as follows:

DISTANCE REQUIREMENTS

- 8B.(5) Except as provided in subsection 6, every residential care facility and retirement home shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.
- 8B.(6) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home, is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility or existing retirement home may be expanded or redeveloped to accommodate not more than the permitted number of residents.

7. Section 9 of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

- (a) adding the following new use to subsection 9.(1):
- (iic) retirement home for the accommodation of not more than six residents.
- (b) deleting subsections 9.(5) and (6) and replacing them with the following revised subsections:

9.(5) Except as provided in subsection 6, every residential care facility and retirement home shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

9.(6) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility or existing retirement

home may be expanded or redeveloped to accommodate not more than the permitted number of residents.

8. Section 9A of Zoning By-law No. 6593 (Hamilton) is hereby amended by:
- (a) adding the following new use to subsection 9A.(1)(a):
 - 5. A retirement home for the accommodation of not more than six residents
 - (b) deleting subsection 9.A(4)(e) and replacing it with the following revised subsections:
 - 9A.(4)(e)1. Except as provided in subsection (4)(e)2, every residential care facility and retirement home shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.
 - 9A.(4)(e)2. Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility or existing retirement home may be expanded or redeveloped to accommodate not more than the permitted number of residents.
9. That Section 10 of Zoning By-law No. 6593 (Hamilton) is hereby amended by:
- (a) deleting in their entirety clauses 10.(1)(iiia) and 10.(1)(viii).
 - (b) deleting subsections 10.(6) and (7) and replacing them with the following revised subsections:
 - 10.(6) Except as provided in subsection 7, every residential care facility and retirement home shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other

11. Section 10B of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

- (a) deleting clause 10B.(1)(via) and replacing it with the following new clause:

(via) An emergency shelter for the accommodation of not more than six residents.

- (b) deleting the term “nursing home” between the words “A” and “, provided” and replacing it with the term “long term care facility” in clause 10B.(1)(vii)

so the entire clause reads as follows:

A long term care facility, provided in the case of a building erected before the first day of December, A.D. 1959 the lot has an area of at least 450 square metres (4,843.92 square feet).

- (c) deleting subsections 10B.(7) and (8) and replacing them with the following revised subsections:

10B.(7) Except as provided in subsection 8, every residential care facility, retirement home and emergency shelter shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

10B.(8) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home or an existing emergency shelter is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility or existing retirement home may be expanded or redeveloped to accommodate not more than the permitted number of residents.

12. Section 10C of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

- (a) deleting clause 10C.(1)(via) and replacing it with the following new clause:

(via) An emergency shelter for the accommodation of not more than six residents.

- (b) deleting the term "nursing home" between the words "A" and "provided" and replacing it with the term "long term care facility" in clause 10C.(1)(vii)

so the entire clause reads as follows:

"A long term care facility, provided in the case of a building erected before the first day of December, A.D. 1959 the lot has an area of at least 450 square metres (4,843.92 square feet).

- (c) deleting subsections 10C.(7) and (8) and replacing them with the following subsections:

10C.(7) Except as provided in subsection 8, every residential care facility, retirement home and emergency shelter shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

10C.(8) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home or an existing emergency shelter is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility or existing retirement home may be expanded or redeveloped to accommodate not more than the permitted number of residents.

13. Section 11 of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

- (a) deleting clause 11.(1)(iiic) and replacing it with the following new clause:

(iiic) An emergency shelter for the accommodation of not more than twenty residents.

(b) adding a new clause 11.(1)(iiica) as follows:

(iiica) A retirement home for the accommodation of not more than twenty residents

(c) deleting “nursing home” between the words “A” and “, provided” and replacing them with “long term care facility in clause 11.(1)(va)

so the entire clause reads as follows:

“A long term care facility, provided in the case of a building erected before the first day of December, A.D. 1959 the lot has an area of at least 450 square metres (4,843.92 square feet)

(d) deleting clause 11.(1)(vii) in its entirety

(e) deleting subsections 11.(7) and (8) and replacing them with the following subsections:

11.(7) Except as provided in subsection 8, every residential care facility, retirement home and emergency shelter shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

11.(8) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home or an existing emergency shelter is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility existing retirement home or the existing emergency shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents.

14. Section 11A. of Zoning By-law No. 6593 (Hamilton) is hereby amended by deleting subsections 11A.(7) and (8) and replacing them with the following subsections:

- 11A.(7) Except as provided in subsection 8, every residential care facility, retirement home and emergency shelter shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.
- 11A.(8) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home or existing emergency shelter is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility, the existing retirement home or the existing emergency shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents.

15. Section 11B of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

- (a) deleting clause 11B.(1)(vib) and replacing it with the following new clause:
- (vib) An emergency shelter for the accommodation of not more than twenty residents.
- (b) adding a new clause 11.(1)(vic) as follows:
- (vic) A retirement home for the accommodation of not more than twenty residents.
- (c) deleting the term "nursing home" between the words "A" and "provided" and replacing it with the term "long term care facility" in clause 11.(1)(va)

so the entire clause reads as follows:

A long term care facility, provided in the case of a building erected before the first day of December, A.D. 1959 the lot has an area of at least 450 square metres (4,843.92 square feet)"

- (d) deleting subsections 11B.(7) and (8) and replacing them with the following revised subsections:

11B.(7) Except as provided in subsection 8, every residential care facility, retirement home and emergency shelter shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

11B.(8) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home or an existing emergency shelter is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility, the existing retirement home or the existing emergency shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents.

16. Section 11C. of Zoning By-law No. 6593 (Hamilton) is hereby amended by deleting subsections 11C.(6) and (7) and replacing them with the following revised subsections:

11C.(6) Except as provided in subsection 7, every residential care facility, retirement home and emergency shelter shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

11C.(7) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home or an existing emergency shelter is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility, the existing retirement home or the existing emergency shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents.

17. Section 11C. of Zoning By-law No. 6593 (Hamilton) is hereby amended by deleting clause 13.(1)(ia) in its entirety.

18. Section 14 of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

- (a) deleting "hostel" between the "A" and "lodging house" in the first line of clause 14.(1)(i)

so the entire clause reads as follows:

"A lodging house, tourist home and tourist camp for the accommodation of not more than 50 persons."

- (b) deleting clause 14.(1)(iiic) and replacing it with the following new clause:

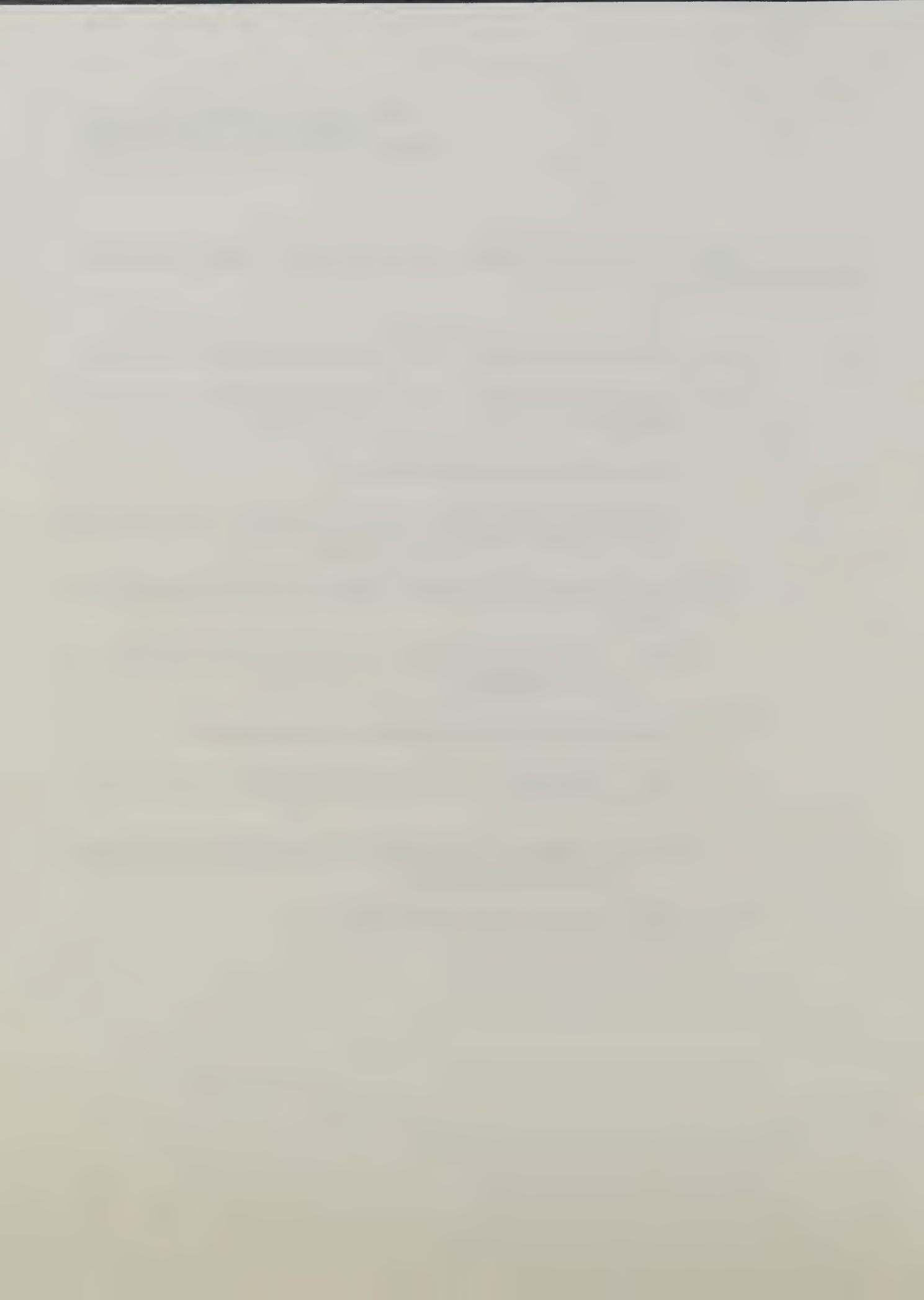
(iiic) An emergency shelter for the accommodation of not more than fifty residents.

- (c) adding two new clauses 14.(1)(iiid) and (iiie) as follows:

(iiid) A retirement home for the accommodation of not more than fifty residents.

(iiie) A corrections residence for the accommodation of not more than twenty-five residents.

- (d) deleting clause 14.(1)(vi) in its entirety.



- (e) deleting subsections 14.(7) and (8) and replacing them with the following revised subsections:

14.(7) Except as provided in subsection 8, every residential care facility, retirement home, emergency shelter or corrections residence shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

14.(8) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home or an existing emergency shelter is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility, the existing retirement home or the existing emergency shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents.

- (e) adding a new subsection 14(9) as follows:

14.(9) In addition to the requirements of subsections (7) and (8), a corrections residence shall be situated on a lot having a minimum radial separation distance of 30.0 metres from the lot line to the lot line of any other lot occupied by an existing residential use or residential district.

19. Section 15 of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

- (a) adding "or correctional facility at the end of clause 15.(1)(i)

so the entire clause reads as follows:

"Any residential, institutional or public use except a cemetery, mausoleum, or columbarium or correctional facility."

- (b) deleting clause 15.(1)(ib) and replacing it with the following new clause:

- (ib) An emergency shelter for the accommodation of not more than fifty residents.
- (c) adding two new clauses 15.(1)(id) and (ie) as follows:
 - (id) A retirement home for the accommodation of not more than fifty residents.
 - (ie) A corrections residence for the accommodation of not more than twenty-five residents.
- (d) deleting subsections 15.(6) and (7) and replacing them with the following revised subsections:
 - 15.(6) Except as provided in subsection 7, every residential care facility, retirement home, emergency shelter or corrections residence shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.
 - 15.(7) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home or an existing emergency shelter is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility, the existing retirement home or the existing emergency shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents.
- (e) adding a new subsection 15.(9) as follows:
 - 15.(9) In addition to the requirements of subsections (7) and (8), a corrections residence shall be situated on a lot having a minimum radial separation distance of 30.0 metres from the lot line to the lot line of any other lot occupied by an existing residential use or residential district.

20. Section 15B. of Zoning By-law No. 6593 (Hamilton) is hereby amended
by:

(a) deleting clause 15B.(3)(a)4. in its entirety.

(b) deleting "hostel" after "A hotel," in clause 15B.(3)(a)5.

so the entire clause reads as follows:

"A hotel;"

(c) deleting clause 15B.(3)(a)8. and replacing it with the following new clause:

(a)8. An emergency shelter for the accommodation of not more than fifty residents.

(d) adding a new clause 15B.(3)(a)9. as follows:

(a)9. A retirement home for the accommodation of not more than fifty residents.

(e) deleting clause 15B.(3)(c)1. and replacing it with the following term:

(c)1. A long term care facility;

(f) deleting subsections 15B.(14.b) and 15B.(14.c) and replacing them with the following revised subsections:

15B.(14.b) Except as provided in subsection 15B.(14.c), every residential care facility, retirement home, or emergency shelter shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

15B.(14.c) Where the radial separation distance from the lot line of an existing residential care facility or an existing retirement home or an existing emergency shelter is less than 300.0 metres to the lot line of any other lot occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility, the existing residential care facility,

the existing retirement home or the existing emergency shelter may be expanded or redeveloped to accommodate not more than the permitted number of residents.

21. Section 16 of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

(a) Deleting clause 16.(1)(i) in its entirety and replacing it with the following clauses:

INSTITUTIONAL USES

- (1)(i) a correctional facility;
- (1)(ia) any emergency medical or surgical use;
- (1)(ib) a day nursery;

RESIDENTIAL USES

- (1)(ic) a corrections residence;
- (1)(id) any residential use as any be sufficient for the necessary maintenance staff of any lawful principal use.”

(b) adding two subsections 16.(6) and 16.(7) as follows:

“16.(6) Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility. “

16.(7) Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance of 30.0 metres from the lot line to the lot line of any other lot occupied by an existing residential use or residential district.

22. Section 16A.of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

(b) deleting clause 16A.(1)(a) in its entirety and replace it with the following clauses:

INSTITUTIONAL USES

- “(aa) a correctional facility;
- (ab) any emergency medical or surgical use;
- (ac) a day nursery;

RESIDENTIAL USES

- (ad) a corrections residence;
- (ae) any residential use as any be sufficient for the necessary maintenance staff of any lawful principal use.”

- (b) adding two new subsections 16A.(7) and 16A.(8) as follows:

“16.A(7) Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility. “

16.A(8) Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance of 30.0 metres from the lot line to the lot line of any other lot occupied by an existing residential use or residential district.

- 23. Section 17 of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

- (a) deleting clause 17.(1)(i) in its entirety and replacing it with the following clauses:

INSTITUTIONAL USES

- “(1)(i) a correctional facility;
- (1)(ia) any emergency medical or surgical use
- (1)(ib) a day nursery;

RESIDENTIAL USES

- (1)(ic) a corrections residence;

(1)(id) any residential use as any be sufficient for he
necessary maintenance staff of any lawful principal
use.”

(b) adding two new subsections 17.(6) and 17.(7) as follows:

“17.(6) Every corrections residence or correctional facility shall
be situated on a lot having a minimum radial
separation distance of 300.0 metres from the lot line to
the lot line of any other lot occupied or as maybe
occupied by a residential care facility, retirement home,
emergency shelter, corrections residence or
correctional facility. “

17.(7) Every corrections residence or correctional facility shall
be situated on a lot having a minimum radial
separation distance of 30.0 metres from the lot line to
the lot line of any other lot occupied by an existing
residential use or residential district.

24. Section 17A.of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

(a) Deleting clause 17A.(1)(a) in its entirety and replacing it with the
following clauses:

INSTITUTIONAL USES

- “(aa) a correctional facility;
- (ab) any emergency medical or surgical use;
- (ac) a day nursery;

RESIDENTIAL USES

- (ad) a corrections residence;
- (ae) any residential use as any be sufficient for the
necessary maintenance staff of any lawful principal
use.”

(b) adding two subsections 17A.(7) and 17A.(8) as follows:

17.A(7) Every corrections residence or correctional facility shall
be situated on a lot having a minimum radial
separation distance of 300.0 metres from the lot line to
the lot line of any other lot occupied or as maybe

occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility. “

- 17A.(7) Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance of 30.0 metres from the lot line to the lot line of any other lot occupied by an existing residential use or residential district.

25. Section 17C.of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding two subsections 17C.(3)(i)2. and 17C.(3)(i)3. as follows:

“17C.(3)(i)2. Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

17C.(3)(i)3. Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance of 30.0 metres from the lot line to the lot line of any other lot occupied by an existing residential use or residential district.

26. Section 17D.of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding two subsections 17D.(2)(i)2. and 17D.(2)(i)3. as follows:

“17D.(2)(i)2. Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

17D.(2)(i)3. Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance of 30.0 metres from the lot line to the lot line of any other lot occupied by an existing residential use or residential district.

27. Section 17E.of Zoning By-law No. 6593 (Hamilton) is hereby amended by adding two subsections 17E.(2)(i)2. and 17E.(2)(i)3. as follows:

17E.(2)(i)2. Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance

of 300.0 metres from the lot line to the lot line of any other lot occupied or as maybe occupied by a residential care facility, retirement home, emergency shelter, corrections residence or correctional facility.

- 17E.(2)(i)3. Every corrections residence or correctional facility shall be situated on a lot having a minimum radial separation distance of 30.0 metres from the lot line to the lot line of any other lot occupied by an existing residential use or residential district.

28. Section 17T. of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

- (a) adding the use “corrections residence” to Table 1 – RESIDENTIAL USES in the “M-11”, “M-12” and “M-13” Districts.
- (b) adding the use “correctional facility” to Table 3 - INSTITUTIONAL USES in the “M-11”, “M-12” and “M-13” Districts.

29. Section 18A. of Zoning By-law No. 6593 (Hamilton) is hereby amended by:

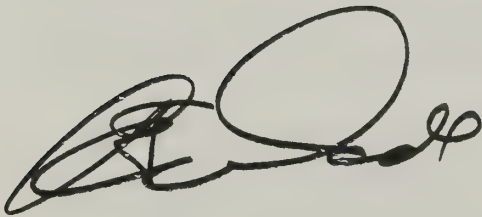
- (a) deleting the term “hostel” in clause 1.(k) in Table1, Column 1, in its entirety.
- (b) deleting clauses 1.(k) in Columns 1 and 2, Table 1, in their entirety;
- (c) deleting the term “short term care facility” in clause 1.(l) in Column 1, Table1, and replacing it with the terms “retirement home”, “emergency shelter” and “corrections residence”
- (d) deleting the terms “nursing home” and “home or the aged” in clause 2.(b) in Column 1, Table1, and replacing it with the term “long term care facility”.
- (e) adding the term “correctional facility” as clause 2.(c) in Column 1, Table 1;
- (f) adding the words “1 space per 3 persons” as clause (c) in Column 2, Table 1;
- (g) deleting clauses 4 in Columns 1 and 2, Table 2, in their entirety;

30. Section 19B -Special Requirements of Zoning By-law No. 6593 (Hamilton), is amended by adding thereto Schedule “O” – *Moratorium Area for residential care facilities, Retirement Homes, Emergency Shelters, Corrections Residence and Correctional Facilities*, attached hereto and forming part of this by-law as Schedule “A”.

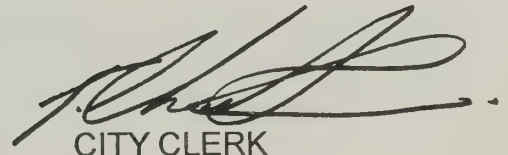
31. In all other respects, By-law No. 6593 (Hamilton), as amended, is hereby confirmed, unchanged.

32. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 26th day of June A.D. 2001

A stylized, handwritten signature in black ink, likely belonging to the Mayor.

MAYOR

A stylized, handwritten signature in black ink, likely belonging to the City Clerk.

CITY CLERK

City of Hamilton

BY-LAW NO. 01-144

To Amend:

By-law 89-72 (Hamilton), as amended,
and By-law No. R89-038 (Hamilton-Wentworth), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS on the 21st day of March, 1989, the Council of The Regional Municipality of Hamilton-Wentworth enacted By-law No. R89-038 to regulate traffic on Regional Roads and on highways within 30 metres of any Regional Road;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality the Corporation of the City of Hamilton, and to the former regional municipality the Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended, and By-law No. R89-038, as amended;

1. That Schedule 20B (No Parking - Loading Zones) of By-law No. R89-038, as amended, is hereby further amended by adding thereto the following item, namely:

and by deleting therefrom the following item, namely:

2. That Schedule 25 (Parking Time Limits) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:

3. That Schedule 26 (No Parking Areas) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:

and by deleting therefrom the following items, namely:

Oliver	North Wentworth to 350 ft. west	Anytime"
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4. That Schedule 34 (Permit Parking) of By-law No. 89-72, as amended is hereby further amended by adding thereto the following items, namely:-

"Francis	South commencing 139 feet east of Douglas and extending 20 feet easterly therefrom	Anytime
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Allan	North commencing 175 feet east of Harmony and extending 23 feet easterly therefrom	Anytime
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Paling	East	commencing 106 feet north of Britannia and extending 21 feet northerly therefrom	Anytime
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Paling	West commencing 102 feet north of Britannia and extending 20 feet northerly therefrom	Anytime"
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City of Hamilton

BY-LAW NO. 01-145

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

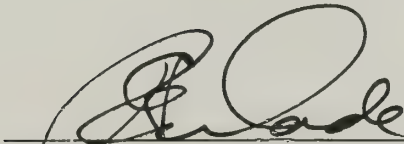
1. That **Schedule 34 (Sticker Permit Parking)** of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:-

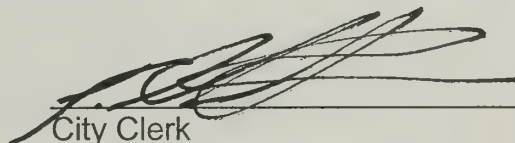
"Bay	Both	Barton to Guise	Anytime
Burlington	Both	James to Bay	Anytime
Ferrie	Both	James to the westerly end	Anytime
Macauley	Both	James to Bay	Anytime
MacNab	Both	Barton to Guise	Anytime
Murray	Both	James to Bay	Anytime
Nichol	Both	Ferrie to Picton	Anytime
Park	Both	Barton to Murray	Anytime
Picton	Both	James to the westerly end	Anytime
Simcoe	Both	MacNab to Bay	Anytime
Strachan	Both	James to Bay	Anytime
Stuart	Both	MacNab to Hess	Anytime
Tiffany	Both	Barton to Stuart	Anytime
Wood	Both	James to Bay	Anytime
Caroline	Both	Barton to Stuart	Anytime
Hess	East	Barton to Stuart	Anytime
Hess	West	129 feet north of Barton to Stuart	Anytime
Guise	South	100 feet west of James to Bay	Anytime
Guise	North	MacNab to Bay	Anytime
Leander	Both	Bay to the Westerly end	Anytime"

2. That this By-law shall come into force and take effect on the date of its passing and enactment.
3. That this By-law shall be repealed and cease to be in force and effect at 9:00 p.m. on the 18th day of July, 2001.

4. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.

PASSED and enacted this 10th day of July, 2001.



Mayor

City Clerk

Authority: Item 7, April 10, 2001 Hearings Sub-Committee
Report PD01074
CM: April 17, 2001

Bill No. 146

City of Hamilton

BY-LAW NO. 01-146

To Amend:

Zoning By-law No. 87-57 (Ancaster), as amended

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 464 HAMILTON DRIVE
AND 439 GARNER ROAD WEST
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987 and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing from the Agricultural "A-216" Zone to the Public Open Space "O2" Zone, Residential "R3-461", "R3-462", "R3-463", "R3-464" and "R3-465" Zones those lands located within part of lots 38 and 39, concession 4, geographic township of Ancaster and more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.
2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

R3-461 Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential "R3" or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-461, described as part of lots 38 and 39, concession 3, shall be subject to the following:

- 1.0 notwithstanding the provisions of Sections 11.3.2 (b) - Regulations of the Residential "R3" Zone, the minimum lot frontage shall be 15.2m, except that no more than 19 lots may have a lot frontage less than 15.0 metres; except on a corner lot the minimum lot frontage shall be 19.2m;
- 2.0 notwithstanding Section 11.3.2 (a) - Regulations of the Residential "R3" Zone, the minimum lot area shall be 495 square metres, except on a corner lot the minimum lot area shall be 610 square metres.

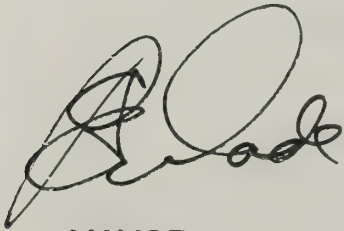
R3-462 Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential "R3" or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-462, described as part of lots 38 and 39, concession 3, shall be subject to the provisions the R3-461 Zone, except for the following:

- 1.0 notwithstanding Section 11.3.2 Regulations of the Residential "R3" Zone, as it refers to Section 11.1.2 (f) - Regulations of the Residential "R1" Zone, the minimum rear yard shall be 12.0 metres.

- R3-463** Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential “R3” or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-463, described as part of lots 38 and 39, concession 3, shall be subject to the provisions the R3-461 Zone, except for the following:
- 1.0 notwithstanding Section 11.3.2 Regulations of the Residential “R3” Zone, the minimum rear yard shall be 12.0 metres; however, no buildings, structures, pools, sheds or any other accessory structure shall be constructed within 6.0 metres of the rear lot line.
- R3-464** Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential “R3” or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-464, described as part of lots 38 and 39, concession 3, shall be subject to the provisions the R3-461 Zone, except for the following:
- 1.0 notwithstanding Section 11.3.2 Regulations of the Residential “R3” Zone, the minimum rear yard shall be 15.0 metres; however, no buildings, structures, pools, sheds or any other accessory structure shall be constructed within 6.0 metres of the rear lot line.
- R3-465** Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential “R3” or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-465, described as part of lots 38 and 39, concession 3, shall be subject to the provisions the R3-461 Zone, except for the following:
- 1.0 That the amending by-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol ‘H’ as a suffix to the proposed “R3-465” Zone. The holding provisions will prohibit the development of the subject lands, except for its use as an interim stormwater management pond, until such time as the following condition has been satisfied:
- (a) That a permanent stormwater management facility has been put in place to the satisfaction of the Director of Development Planning.

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED this 10th day of July A. D. 2001



MAYOR



CITY CLERK

288178 Ontario Ltd. (P. Silvestri – President) – Owner
ZB-00-16 (Former Town of Ancaster)

Bill No. 147

City of Hamilton

BY-LAW NO. 01-147

To Establish:

Site Plan Control

Respecting:

LANDS LOCATED AT 509 and 531 QUEENSTON ROAD

WHEREAS By-law No. 79-275 (Hamilton), passed on the 25th day of September 1979, under Section 35a of the Planning Act, as re-enacted by the Planning Amendment Act, 1979, S.O. 1979, Chapter 59, Section 1, [now Section 41 of the Planning Act, R.S.O. 1990, c. P. 13], as amended by By-law No. 98-173 (Hamilton), passed on the 30th day of June 1998, established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 (Hamilton) to establish site plan control on the land hereinafter referred to.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

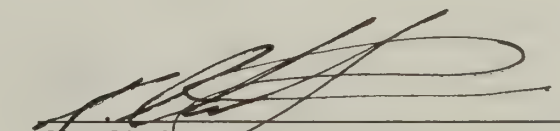
1. Schedule "B" to By-law No. 79-275 (Hamilton) is amended by adding the following thereto:

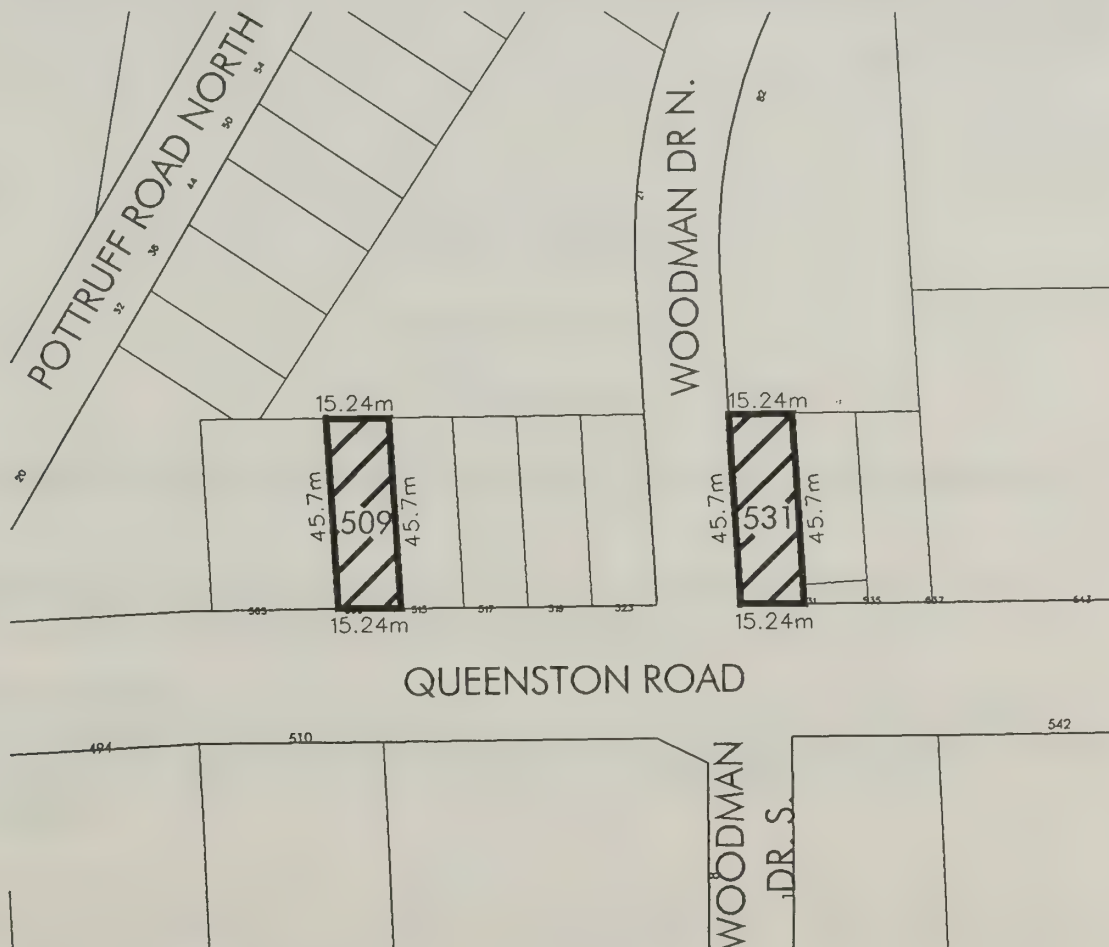
186. Lands located at 509 and 531 Queenston Road, shown on Appendix 186 hereto annexed and forming part of this by-law.

2. Appendix 186 to By-law No. 79-275 (Hamilton) is hereto annexed as Schedule "A", and forms part of this by-law, and By-law No. 79-275 (Hamilton), as amended.

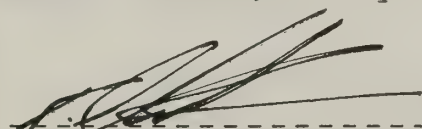
PASSED and enacted this 10th day of July, 2001.

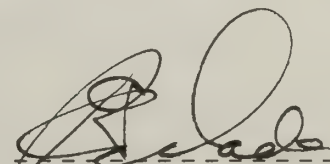

Mayor


City Clerk



This is Schedule "A" to By-Law No. 01-147.....
 Passed the10th day ofJuly....., 2001.


 Clerk


 Mayor

City of Hamilton

Appendix 186

to the By-Law No. 79-275
 as Amended by By-Law No. 87-223

Planning and Development Department

Legend



Lands designated under this By-Law
 as an area of Site Plan Control
 pursuant to section 41 of the
 Planning Act, R.S.O. 1990.

North



Scale
NOT TO SCALE

Date
 June, 2001

Reference File No.
CI-99-C

Drawn By
 L.M.

CITY OF HAMILTON

BY-LAW NO. 01 - 148

Respecting:

DELEGATION OF CONSENT AUTHORITY UNDER THE PLANNING ACT

WHEREAS Sections 50(1)(c) and 53(1) of the *Planning Act*, R.S.O. 1990, c-P.13, as amended, authorize the City of Hamilton to grant Consents;

AND WHEREAS Sections 54(5) and (7) of the *Planning Act*, R.S.O. 1990, c-P.13, as amended, authorize the City of Hamilton to delegate the power to grant Consents to an officer of the City and the Committee of Adjustment, on conditions;

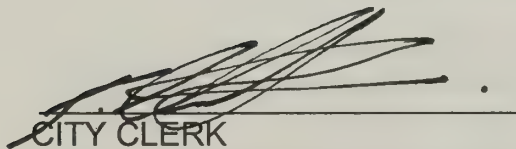
AND WHEREAS Map No. 1 of the former Regional Municipality of Hamilton-Wentworth's Official Plan, January 5, 1995, as amended, establishes an Urban Area Boundary, hereinafter, the "Urban Boundary";

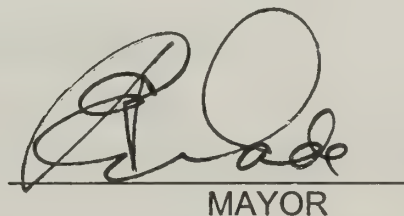
NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. The authority of Council under Section 53 of the *Planning Act*, R.S.O. 1990, c-P.13, as amended, is delegated to the General Manager, Planning and Development Department, or designate, where:
 - (a) the application complies with all applicable planning documents and there is no dispute (or any dispute is resolved without a hearing); or
 - (b) the application is to facilitate the creation of a servicing or maintenance easement required by the City.
2. The authority of Council under Section 53 of the *Planning Act*, R.S.O. 1990, c-P.13, as amended, is delegated to the Rural Section of the Committee of Adjustment where:
 - (a) the application does not fall within Section 1; and
 - (b) the application deals with lands outside the Urban Boundary.

3. The authority of Council under Section 53 of the *Planning Act*, R.S.O. 1990, c-P.13, as amended, is delegated to the Urban Section of the Committee of Adjustment where:
- (a) the application does not fall within Section 1; and
 - (c) the application deals with lands within the Urban Boundary.
- 4(1) All previous delegations of consent authority by or to the following former municipalities is revoked: Dundas, Hamilton, and Regional Municipality of Hamilton-Wentworth.
- (2) The Land Division Committee of the former Regional Municipality of Hamilton-Wentworth is dissolved.
5. This By-law shall come into force on July 16, 2001.

PASSED THIS 10th DAY OF July A.D., 2001.


CITY CLERK


MAYOR

Bill No. 149

CITY OF HAMILTON

BY-LAW NO. 01 - 149

Respecting:

**CONSTITUTING A COMMITTEE OF ADJUSTMENT
and
THE APPOINTMENT OF ITS MEMBERS**

WHEREAS Section 44 of the *Planning Act*, R.S.O. 1990, c-P.13, as amended, authorizes a municipality to constitute and appoint a Committee of Adjustment;

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

- 1(1) A Committee of Adjustment for the City of Hamilton, hereinafter "the Committee", is constituted.
- (2) All Committees of Adjustment previously constituted for the following former area municipalities are dissolved: Ancaster, Dundas, Flamborough, Glanbrook, Hamilton and Stoney Creek.
- 2(1) The Committee shall be comprised of two (2) Sections: Rural and Urban.
- (2) Members of the Committee shall be appointed to the Rural Section or the Urban Section, but not both.
- (3) Members of the Committee who are members of Council shall be appointed annually.
- (4) Members of the Committee who are not members of Council shall hold office for the term of Council that appointed them.
- (5) Notwithstanding Sections 2(3) and 2(4), members of the Committee shall hold office until they are reappointed or their successors are appointed.

3. Members of the Committee shall be compensated for their membership on the Committee as follows:
- (a) Payment of \$100.00/meeting attended; and
 - (b) Reimbursement for mileage costs incurred in accordance with City policy.

- 4(1) The Rural Section of the Committee shall be comprised of five (5) members, who are not members of Council, and, as determined by Council, have knowledge of rural issues.

- (2) The Rural Section of the Committee shall meet once/month, or as required, and shall deal with those matters arising from a delegation of power under Section 54(5) of the *Planning Act*, R.S.O. 1990, c-P.13, as amended.

- (3) The following people are appointed for the terms indicated to the Rural Section of the Committee:

Ken McEvoy	term expires November 30, 2003
Ron Duda	term expires November 30, 2003
Wayne Clayton	term expires November 30, 2003
Dale Smith	term expires November 30, 2003
	term expires November 30, 2003

- 5(1) The Urban Section of the Committee shall be comprised of seven (7) members, who are not members of Council.

- (2) The Urban Section of the Committee shall meet three (3) times/month, or as required, and shall deal with those matters arising from Section 45 of the *Planning Act*, R.S.O. 1990, c-P.13, as amended, and arising from a delegation of power under Section 54(5) of the *Planning Act*, R.S.O. 1990, c-P.13, as amended.

- (3) The following people are appointed for the terms indicated to the Urban Section of the Committee:

Don Drury	term expires November 30, 2003
Mark Dudzic	term expires November 30, 2003
Victor Abraham	term expires November 30, 2003
Donna Madden	term expires November 30, 2003
Dave Serwatuk	term expires November 30, 2003
Christine Lewis	term expires November 30, 2003
Deborah DeLullo	term expires November 30, 2003

6. This By-law shall come into force on July 16, 2001.

PASSED THIS 10th DAY OF July

A.D., 2001.



CITY CLERK



MAYOR

CITY OF HAMILTON

BY-LAW NO. 01 - 150

To Amend:

By-law No. 99-118, as amended (Hamilton); R00-074, as amended (Region)

Respecting:

DEVELOPMENT CHARGES

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to:

- (a) the former area municipality, The Corporation of the City of Hamilton;
- (b) the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the Development Charges Act, 1997, S.O.1997, Chapter 27, (hereinafter may be referred to as the "Act"), authorizes municipalities to pass a by-law for the imposition of development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the by-law applies;

AND WHEREAS the former area municipality, The Corporation of the City of Hamilton, did, in accordance with the said Act, on the 11th day of August, 1999, enact By-law No. 99-118 to impose Development Charges, (hereinafter such By-law may be referred to as the "Hamilton By-law");

AND WHEREAS the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth, did, in accordance with the said Act, on the 6th day of July 1999, enact By-law R99-074 to impose Development Charges, (hereinafter such By-law may be referred to as the "Region By-law");

AND WHEREAS the Hamilton Halton Homebuilders' Association (the "HHHBA") did file an appeal to the Ontario Municipal Board (the "OMB") in respect of the Hamilton By-law and the Region By-law;

AND WHEREAS the HHHBA and the City did agree to settle the Hamilton By-law appeal on the basis that the residential Development Charge rates in Hamilton By-law, as passed on August 11, 1999, be reduced by 4.28% and that neither party claim any costs regarding the appeal against the other party;

AND WHEREAS the HHHBA and the Region did agree to settle the Region By-law appeal on the basis that the residential Development Charge rates in the Region By-law, as passed on July 6, 1999, be reduced by 3.7% and that neither party claim any costs regarding the appeal against the other party;

AND WHEREAS these settlements were submitted to and approved on March 28, 2000 by The Transition Board for the New City of Hamilton, subject to the approval of the OMB;

AND WHEREAS the said settlements were submitted to the Ontario Municipal Board for approval together with the consent of all parties to the issuance of an Order by the OMB to the City of Hamilton to pass a by-law in this form to amend the Hamilton By-law and the Region By-law ;

AND WHEREAS the OMB did issue, on the 15th day of May 2001, Decision/Order Number 0753 approving the settlement of the said appeals and requiring the City of Hamilton to pass an amending by-law in this form to implement the approved settlement;

AND WHEREAS as a result of an appeal there is a reduction in the Development Charge rates, section 18 of the said Act requires the municipality to make a refund and to pay interest on the refund from the time of the payment being received to the date of the refund;

AND WHEREAS the former area municipality, The Corporation of the City of Hamilton, did, in accordance with the Act, on the 21st day of March 2000, enact By-law No. 00-041 to amend the Hamilton By-law;

AND WHEREAS the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth did, in accordance with the Act, on the 21st day of March 2000, enact By-law R00-015 to amend the Region By-law; and,

AND WHEREAS these amending By-laws are not affected by the appeals and the said settlement of the appeals as outlined herein.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. By-law No. 99-118 (Hamilton) passed by the former area municipality, the Corporation of The City of Hamilton on the 11th day of August 1999, which By-law came into force the following day, namely, August 12, 1999, — is amended as follows:

Schedule "B" of By-law No. 99-118 (Hamilton) titled "CITY-WIDE DEVELOPMENT CHARGES" is amended by deleting the dollar amounts of the Development Charges in the columns below the title "Residential \$ Per Unit" and substituting the revised dollar amounts of such Development Charges, as set out in Schedule "A" to this amending By-law. All other portions of Schedule "B" of By-law No. 99-118, as amended (Hamilton), shall remain the same.

2. By-law R99-074 (Region) passed by the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth on the 6th day of July 1999, which By-law came into force the following day, namely, July 7, 1999, — is amended as follows:

(a) Schedule "B" of By-law No. R99-074 (Region) titled "Development Charges by Service" is amended by deleting the dollar amounts in the column titled "Residential Development Charge per SDD" and substituting the revised dollar amounts of such Development Charges set out in Schedule "B" to this amending By-law. All other portions of Schedule "B" of By-law No. R99-074, as amended (Region), shall remain the same;

(b) Schedule "C" of the By-law R99-074 (Region) titled "Development Charge Rates By Municipality" is amended by deleting the dollar amounts in the column titled "residential per \$ unit rates" and substituting therefor, the revised dollar amounts of such Development Charges set out in Schedule "C" attached to this amending By-law. All other portions of Schedule "C" of By-law No. R99-074, as amended (Region), shall remain the same.

2. (a) The definitions and phrases and terms in By-law 99-118 (Hamilton) and R99-074 (Region) shall apply to this amending By-law, save as amended herein;

(b) By-law No. 99-118 (Hamilton), save as amended herein and in By-law No. 00-041(Hamilton), is confirmed.

(c) By-law R99-074 (Region), save as amended herein and in By-law R00-015 (Region), is confirmed.

3. In accordance with Section 18 of the Development Charges Act, this amending By-law and its amendments to By-law No. 99-118 (Hamilton), shall be deemed to have come into force on August 12, 1999, the same day By-law No. 99-118 (Hamilton) came into force.
4. In accordance with Section 18 of the Development Charges Act, this amending By-law and its amendments to By-law R99-074 (Region), shall be deemed to have come into force on July 7, 1999, the same day By-law R99-074 (Region) came into force.

PASSED THIS 10th DAY OF July A.D., 2001.



CITY CLERK

MAYOR

Service	Residential \$ Per Unit		
	SDD / SEMI	Multiple	Apartment
Indoor Recreation	\$ 512.00	\$ 380.00	\$ 220.00
Outdoor Recreation	\$ 499.00	\$ 371.00	\$ 214.00
Library Materials & Buildings	\$ 377.00	\$ 280.00	\$ 162.00
Rolling Stock	\$ 79.00	\$ 59.00	\$ 34.00
Traffic Signals	\$ 22.00	\$ 16.00	\$ 9.00
Growth Management Studies	\$ 188.00	\$ 140.00	\$ 80.00
Fire Protection	-	-	-
Total D.C.	\$ 1,677.00	\$ 1,246.00	\$ 719.00

1. SDD means the "Single Detached Dwelling" DC rate.
2. SDD is the DC rate applicable to a single detached dwelling and to a semi-detached dwelling.
3. The apartment rate is 42.9% of the SDD.
4. The multiple rate is 74.3% of the SDD

Service	DEVELOPMENT CHARGES BY SERVICE		
		Residential DC \$ Per SDD	
Storm Sewer		\$ 582.00	
Sanitary Sewer		\$ 280.00	
Waterworks		\$ 1,321.00	
Roads		\$ 1,626.00	
Growth Management		\$ 38.00	
Police		\$ 279.00	
Transit		\$ 216.00	
Library		\$ 129.04	

LOCATION	RESIDENTIAL \$ PER UNIT		
	SDD/SEMI	MULTIPLE	APARTMENT
HAMILTON	\$ 4,342.00	\$ 3,226.00	\$ 1,862.00
DUNDAS	\$ 3,760.00	\$ 2,794.00	\$ 1,613.00
ANCASTER	\$ 3,889.00	\$ 2,889.00	\$ 1,668.00
STONEY CREEK	\$ 3,889.00	\$ 2,889.00	\$ 1,668.00
FLAMBOROUGH	\$ 3,889.00	\$ 2,889.00	\$ 1,668.00
GLANBROOK	\$ 3,889.00	\$ 2,889.00	\$ 1,668.00

1. SDD means the "Single Detached Dwelling" DC rate.
2. SDD is the DC rate applicable to a single detached dwelling and to a semi-detached dwelling.
3. The apartment rate is 42.9% of the SDD.
4. The multiple rate is 74.3% of the SDD

CITY OF HAMILTON

BY-LAW NO. 01 - 150

To Amend:

By-law No. 99-118, as amended (Hamilton); R00-074, as amended (Region)

Respecting:

DEVELOPMENT CHARGES

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to:

- (a) the former area municipality, The Corporation of the City of Hamilton;
- (b) the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the Development Charges Act, 1997, S.O.1997, Chapter 27, (hereinafter may be referred to as the "Act"), authorizes municipalities to pass a by-law for the imposition of development charges against land to pay for increased capital costs required because of increased needs for services arising from development of the area to which the by-law applies;

AND WHEREAS the former area municipality, The Corporation of the City of Hamilton, did, in accordance with the said Act, on the 11th day of August, 1999, enact By-law No. 99-118 to impose Development Charges, (hereinafter such By-law may be referred to as the "Hamilton By-law");

AND WHEREAS the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth, did, in accordance with the said Act, on the 6th day of July 1999, enact By-law R99-074 to impose Development Charges, (hereinafter such By-law may be referred to as the "Region By-law");

AND WHEREAS the Hamilton Halton Homebuilders' Association (the "HHHBA") did file an appeal to the Ontario Municipal Board (the "OMB") in respect of the Hamilton By-law and the Region By-law;

AND WHEREAS the HHHBA and the City did agree to settle the Hamilton By-law appeal on the basis that the residential Development Charge rates in Hamilton By-law, as passed on August 11, 1999, be reduced by 4.28% and that neither party claim any costs regarding the appeal against the other party;

AND WHEREAS the HHHBA and the Region did agree to settle the Region By-law appeal on the basis that the residential Development Charge rates in the Region By-law, as passed on July 6, 1999, be reduced by 3.7% and that neither party claim any costs regarding the appeal against the other party;

AND WHEREAS these settlements were submitted to and approved on March 28, 2000 by The Transition Board for the New City of Hamilton, subject to the approval of the OMB;

AND WHEREAS the said settlements were submitted to the Ontario Municipal Board for approval together with the consent of all parties to the issuance of an Order by the OMB to the City of Hamilton to pass a by-law in this form to amend the Hamilton By-law and the Region By-law ;

AND WHEREAS the OMB did issue, on the 15th day of May 2001, Decision/Order Number 0753 approving the settlement of the said appeals and requiring the City of Hamilton to pass an amending by-law in this form to implement the approved settlement;

AND WHEREAS as a result of an appeal there is a reduction in the Development Charge rates, section 18 of the said Act requires the municipality to make a refund and to pay interest on the refund from the time of the payment being received to the date of the refund;

AND WHEREAS the former area municipality, The Corporation of the City of Hamilton, did, in accordance with the Act, on the 21st day of March 2000, enact By-law No. 00-041 to amend the Hamilton By-law;

AND WHEREAS the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth did, in accordance with the Act, on the 21st day of March 2000, enact By-law R00-015 to amend the Region By-law; and,

AND WHEREAS these amending By-laws are not affected by the appeals and the said settlement of the appeals as outlined herein.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. By-law No. 99-118 (Hamilton) passed by the former area municipality, the Corporation of The City of Hamilton on the 11th day of August 1999, which By-law came into force the following day, namely, August 12, 1999, — is amended as follows:

Schedule "B" of By-law No. 99-118 (Hamilton) titled "CITY-WIDE DEVELOPMENT CHARGES" is amended by deleting the dollar amounts of the Development Charges in the columns below the title "Residential \$ Per Unit" and substituting the revised dollar amounts of such Development Charges, as set out in Schedule "A" to this amending By-law. All other portions of Schedule "B" of By-law No. 99-118, as amended (Hamilton), shall remain the same.

2. By-law R99-074 (Region) passed by the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth on the 6th day of July 1999, which By-law came into force the following day, namely, July 7, 1999, — is amended as follows:

(a) Schedule "B" of By-law No. R99-074 (Region) titled "Development Charges by Service" is amended by deleting the dollar amounts in the column titled "Residential Development Charge per SDD" and substituting the revised dollar amounts of such Development Charges set out in Schedule "B" to this amending By-law. All other portions of Schedule "B" of By-law No. R99-074, as amended (Region), shall remain the same;

(b) Schedule "C" of the By-law R99-074 (Region) titled "Development Charge Rates By Municipality" is amended by deleting the dollar amounts in the column titled "residential per \$ unit rates" and substituting therefor, the revised dollar amounts of such Development Charges set out in Schedule "C" attached to this amending By-law. All other portions of Schedule "C" of By-law No. R99-074, as amended (Region), shall remain the same.

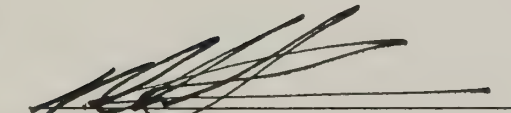
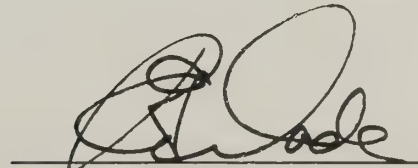
2. (a) The definitions and phrases and terms in By-law 99-118 (Hamilton) and R99-074 (Region) shall apply to this amending By-law, save as amended herein;

(b) By-law No. 99-118 (Hamilton), save as amended herein and in By-law No. 00-041(Hamilton), is confirmed.

(c) By-law R99-074 (Region), save as amended herein and in By-law R00-015 (Region), is confirmed.

3. In accordance with Section 18 of the Development Charges Act, this amending By-law and its amendments to By-law No. 99-118 (Hamilton), shall be deemed to have come into force on August 12, 1999, the same day By-law No. 99-118 (Hamilton) came into force.
4. In accordance with Section 18 of the Development Charges Act, this amending By-law and its amendments to By-law R99-074 (Region), shall be deemed to have come into force on July 7, 1999, the same day By-law R99-074 (Region) came into force.

PASSED THIS 10th DAY OF July A.D., 2001.


CITY CLERK
MAYOR

Service	Residential \$ Per Unit		
	SDD / SEMI	Multiple	Apartment
Indoor Recreation	\$ 512.00	\$ 380.00	\$ 220.00
Outdoor Recreation	\$ 499.00	\$ 371.00	\$ 214.00
Library Materials & Buildings	\$ 377.00	\$ 280.00	\$ 162.00
Rolling Stock	\$ 79.00	\$ 59.00	\$ 34.00
Traffic Signals	\$ 22.00	\$ 16.00	\$ 9.00
Growth Management Studies	\$ 188.00	\$ 140.00	\$ 80.00
Fire Protection	-	-	-
Total D.C.	\$ 1,677.00	\$ 1,246.00	\$ 719.00

1. SDD means the "Single Detached Dwelling" DC rate.
2. SDD is the DC rate applicable to a single detached dwelling and to a semi-detached dwelling.
3. The apartment rate is 42.9% of the SDD.
4. The multiple rate is 74.3% of the SDD

Service	DEVELOPMENT CHARGES BY SERVICE		
		Residential DC \$ Per SDD	
Storm Sewer		\$ 582.00	
Sanitary Sewer		\$ 280.00	
Waterworks		\$ 1,321.00	
Roads		\$ 1,626.00	
Growth Management		\$ 38.00	
Police		\$ 279.00	
Transit		\$ 216.00	
Library		\$ 129.04	

LOCATION	RESIDENTIAL \$ PER UNIT		
	SDD/SEMI	MULTIPLE	APARTMENT
HAMILTON	\$ 4,342.00	\$ 3,226.00	\$ 1,862.00
DUNDAS	\$ 3,760.00	\$ 2,794.00	\$ 1,613.00
ANCASTER	\$ 3,889.00	\$ 2,889.00	\$ 1,668.00
STONEY CREEK	\$ 3,889.00	\$ 2,889.00	\$ 1,668.00
FLAMBOROUGH	\$ 3,889.00	\$ 2,889.00	\$ 1,668.00
GLANBROOK	\$ 3,889.00	\$ 2,889.00	\$ 1,668.00

1. SDD means the "Single Detached Dwelling" DC rate.
2. SDD is the DC rate applicable to a single detached dwelling and to a semi-detached dwelling.
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4. The multiple rate is 74.3% of the SDD

CITY OF HAMILTON

BY-LAW NO. 01-151

**A BY-LAW TO AMEND THE COUNCIL
PROCEDURAL BY-LAW ENACTED BY
THE TRANSITION BOARD UNDER THE
CITY OF HAMILTON ACT, 1999**

WHEREAS the Transition Board established under section 1 of Ontario Regulation 10/00 under the City of Hamilton Act, 1999, S.O. 1999, c. 14, Schedule "C", on December 12, 2000, pursuant to clause 1(1)(d) of Ontario Regulation 101/00 under the said Act, adopted Transition Board By-law No. 3-2000, being a procedural by-law for the Council of the City of Hamilton to be constituted as a body corporate on January 1, 2001, under section 2 of the said Act;

AND WHEREAS the Council of the City of Hamilton constituted under section 2 of the said Act has determined that it is convenient to amend certain provisions of the By-law adopted by the Transition Board, in order to provide for the efficient conduct of the proceedings of the Council and its Committees;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Clause 1.1(j) of The Council Procedural By-law, being By-law No. 3-2000 enacted by the Transition Board established under the City of Hamilton Act, 1999, on December 12, 2000, is repealed and replaced with the following:
 - (j) **Hearings Sub-Committee** means a committee consisting of all members of Council created to deal with planning and development matters, other matters for which a public meeting or hearing is legislated, or any other matter for which delegation status has been requested and subsequently approved by Council
2. Section 2.2 of the said By-law, is amended by deleting the words "Robert's Rules of Order. Parliamentary Procedure at a Glance by O. Garfield Jones will be used as a reference" and substituting the words "Bourinot's Rules of Order".
3. Section 4.1 of the said By-law is repealed and replaced with the following:

- 4.1 Unless otherwise decided by Council, regular meetings of the Committee of the Whole shall be held every other Wednesday commencing at 1:00 p.m., and regular meetings of Council shall be held the following Tuesday at 7:00 p.m., unless such day(s) shall be a public or civic holiday, in which case the Council shall set an alternate date and time.

4. Clause 6.2(c) of the said By-law is repealed and replaced with the following:

(c) Approval of Minutes of Previous Meeting

5. Section 10.1 of the said By-law is repealed and replaced by the following:

- 10.1 The structure of the Hearings Sub-Committee shall be as follows:

- (a) That it be comprised of all Members of Council, one of whom will be the Chair;
- (b) That the quorum for the Sub-Committee shall be five Members of Council.

6. Section 10.2 of the said By-law is repealed and replaced with the following:

- 10.2 The Hearings Sub-Committee shall meet on a weekly basis or at the call of the Chair.

7. Section 10.3 of the said By-law is repealed.

8. Section 10.4 of the said by-law is re-numbered as section 10.3

9. Section 11.1 of the said By-law is amended by deleting the words "Committee of the Whole" in the fourth line and inserting the words "Hearings Sub-Committee" in their place.

10. Section 11.4 of the said By-law is amended by deleting the words "Committee of the Whole" in the third line and in the fourth line and inserting the words "Hearings Sub-Committee" in each place.

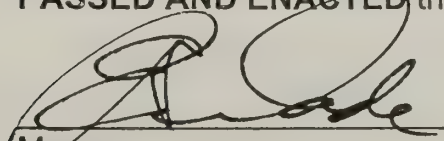
11. Section 11.5 of the said By-law is repealed and replaced with the following:

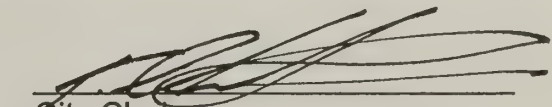
- 11.5 A person who wishes to address Members of Council on a matter that is listed on the agenda for the Committee of the Whole must give notice to the Clerk by 12:00 noon on the day prior to the meeting. The Clerk will provide the list of delegation requests to the Chair prior to the commencement of the meeting. The decision whether or not to refer the matter to the next meeting of the Hearings Sub-Committee will be determined by the Committee of the Whole.
12. The heading to section 12 of the said By-law and section 12.1 are repealed and replaced with the following:

SECTION 12 – DELEGATIONS – COUNCIL/COMMITTEE OF THE WHOLE

- 12.1 Delegations are not permitted at meetings of Council or Committee of the Whole.
13. The heading to section 13 of the said By-law and section 13.1 are repealed.
14. The headings to sections 14, 15, 16, and 17 of the said By-law are re-numbered as sections 13, 14, 15, and 16, respectively, and the provisions beneath each of those headings are re-numbered in a corresponding manner.
15. This By-law shall be deemed to have come into force on January 16, 2001.

PASSED AND ENACTED this 10th day of July, 2001.


Mayor


City Clerk

City of Hamilton

BY-LAW NO. 01-152

To Amend:

Zoning By-law No. 90-145-Z (Flamborough)

Respecting:

**LANDS LOCATED AT MUNICIPAL NO. 2835 GOVERNOR'S ROAD
(formerly Town of Flamborough)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by Council of the City of Hamilton;

AND WHEREAS By-law No. 90-145-Z (Flamborough) passed on the 5th day of November, 1990 zoned the land Agriculture 'A' Zone and Conservation Management 'CM' Zone, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A-24", which By-law came into force on the 21st day of December, 1992 in accordance with the Planning Act;

AND WHEREAS this by-law is in conformity with the City of Hamilton Official Plan, (formerly the Town of Flamborough Official Plan), approved by the Minister under the Planning Act on September 27, 1988;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The Agriculture 'A' Zone provisions, as contained in Section 33 of By-law No. 90-145-Z (Flamborough), applicable to the lands shown on a plan hereto annexed as Schedule "A", be amended, to the extent only of the special requirements that:

- (a) a golf driving range and a portable office/pro shop shall be permitted for a period of three (3) years from the date of passing of this By-law; and,

- (b) a minimum 3.0m wide planting strip shall be provided and maintained across the entire lot frontage, except for the area used for vehicular access.

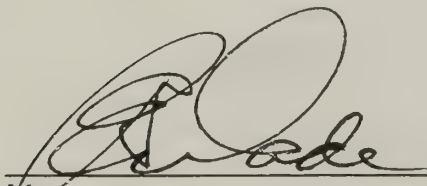
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the 'A-69' provisions of By-law No. 90-145-Z (Flamborough), subject to the special requirements referred to in section 1.

3. By-law No. 90-145-Z (Flamborough) is amended by adding this by-law to Section 33.3 as Subsection 33.3.69.

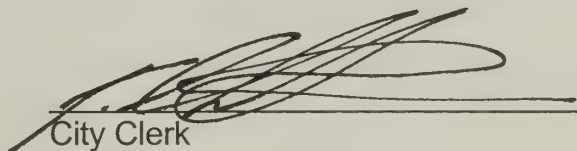
4. Schedule "A-24" of the Zone Maps, appended to and forming part of Zoning By-law No. 90-145-Z (Flamborough), is further amended by marking the lands referred to in section 1 of this By-law, 'A-69'.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and enacted this 10th day of July, 2001.

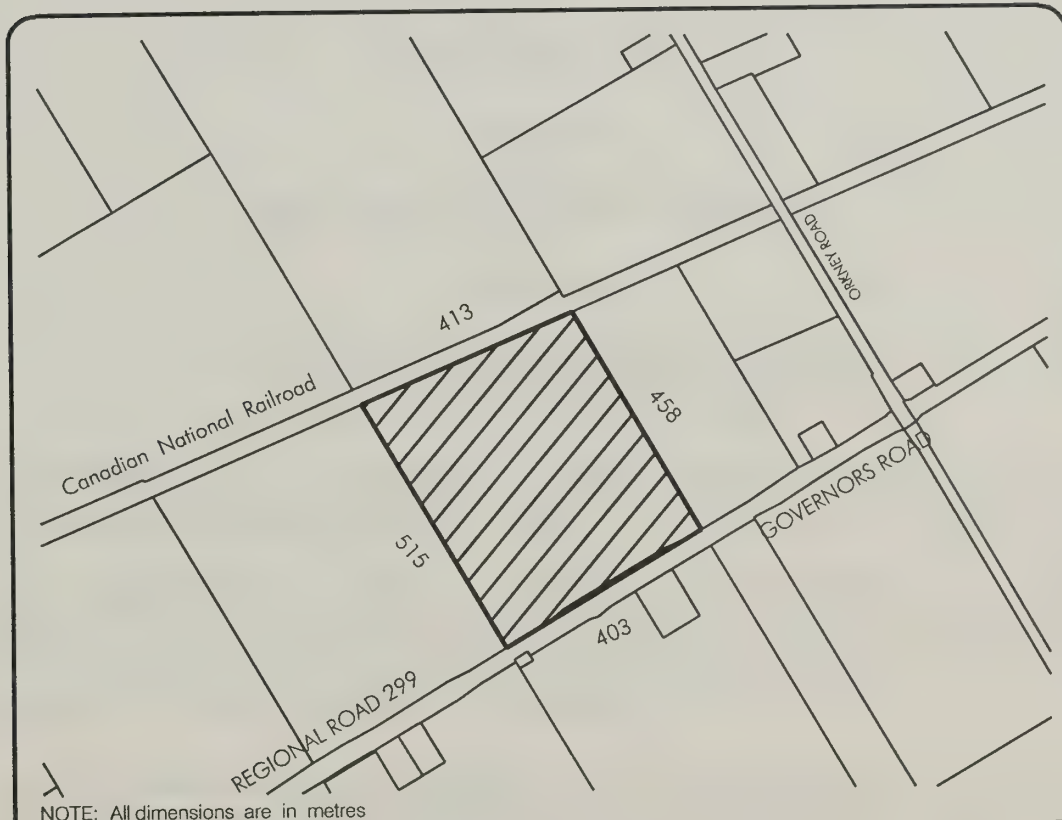


Mayor



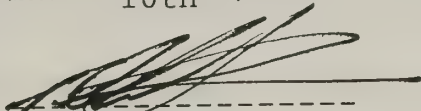
City Clerk

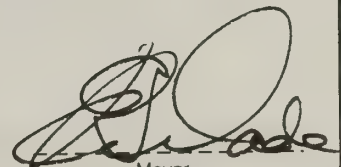
Douglas & Jutta Patton
ZAC-01-09



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 01-152.....
Passed the 10th day of July, 01.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 01-152

to Amend By-Law No. 90-145-Z

Planning and Development Department

Legend



Change in zoning from
Agricultural "A" to Agricultural
"A"-69

North



Scale
NOT TO SCALE

Date
July, 2001

Reference File No.

ZAC-01-09

Drawn By

B. B.

City of Hamilton

BY-LAW NO. 01-153

To Amend:

Zoning By-law No. 90-145-Z (Flamborough)

Respecting:

**LANDS LOCATED ON OLD BROCK ROAD
(formerly Town of Flamborough)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by Council of the City of Hamilton;

AND WHEREAS By-law No. 90-145-Z (Flamborough) passed on the 5th day of November, 1990 zoned the land Settlement Residential (Holding) 'R2-14(H)' Zone, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A-37", which By-law came into force on the 21st day of December, 1992 in accordance with the Planning Act;

AND WHEREAS Section 4.5 of By-law No. 90-145-Z (Flamborough) provides that only existing uses are permitted until the (Holding) '(H)' symbol is removed;

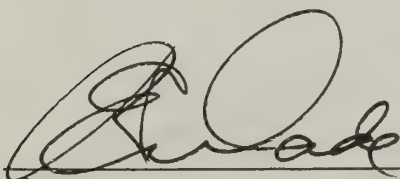
AND WHEREAS By-law No. 90-145-Z (Flamborough) provides that upon fulfilment of the conditions upon which the (Holding) '(H)' symbol was affixed, including the receipt and acknowledgement that the deed for consent application F-3-00, had been registered, the (Holding) '(H)' symbol shall be removed; and as the said lot has been registered as Part 1, on Reference Plan 62R-15705 and the other conditions have been fulfilled;

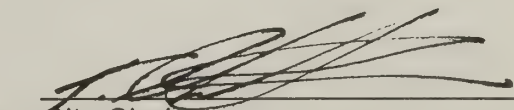
AND WHEREAS this by-law is in conformity with the City of Hamilton Official Plan, (formerly the Town of Flamborough Official Plan), approved by the Minister under the Planning Act on September 27, 1988;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The (Holding) '(H)' symbol affixed by By-law No. 90-145-Z (Flamborough), passed on the 5th day of November, 1990, to the Settlement Residential (Holding) 'R2-14(H)' zone, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A-37" to By-law No. 90-145-Z (Flamborough) and forming part thereof, is hereby removed, and the development of the lands may proceed in accordance with the Settlement Residential 'R2-14' Zone provisions of Zoning By-law No. 90-145-Z (Flamborough).
2. Schedule "A-37" of the Zone Maps, appended to and forming part of Zoning By-law No. 90-145-Z (Flamborough), is further amended by changing from Settlement Residential (Holding) 'R2-14(H)' Zone to Settlement Residential 'R2-14' Zone, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the 'R2-14' provisions of By-law No. 90-145-Z (Flamborough).
4. In all other respects, By-law No. 90-145-Z (Flamborough) is hereby confirmed, unchanged.

PASSED and enacted this 10th day of July, 2001.



Mayor

City Clerk

Stanley Bolibruch, Owner
D10 (F-3-00)

[illegible]

This is Scheduo "A" to By-Law No. 01 -- 153.....
Passed the 10th day of July, 01.

Mayo'

Schedule "A"

Planning and Development Department



Notes

Drawn By
B. B.

City of Hamilton

BY-LAW NO. 01-154

To Amend:

Zoning By-law No. 464 (Glanbrook)
As amended by By-law No. 464-71-00

Respecting:

ELDERBERRY ESTATES
(former Township of Glanbrook)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the Township of Glanbrook" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 464 (Glanbrook) was enacted on the 16th day of March 1992 and approved by the Ontario Municipal Board on the 31st day of May 1993;

AND WHEREAS the City of Hamilton Official Plan, (formerly the Official Plan of the Region of Hamilton-Wentworth) designates the lands subject to this By-law as *URBAN*, which permits residential uses;

AND WHEREAS the City of Hamilton Official Plan, (formerly the Township of Glanbrook Official Plan) designates the lands subject to this By-law as *RESIDENTIAL*, and within the *URBAN AREA*;

AND WHEREAS Schedule G – North-West Glanbrook Planning Area Land Use Plan of the City of Hamilton Official Plan (formerly the Township of Glanbrook Official Plan) designates the lands subject to this By-law as "Low, Medium and High Density Residential, Parkland, Commercial and Stormwater Management Facilities";

AND WHEREAS the City of Hamilton deems it desirable and expedient to amend Zoning By-law No. 464 (Glanbrook) as hereinafter provided;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (formerly the Official Plan of the Township of Glanbrook).

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. SCHEDULE "E" of Zoning By-law No. 464 (Glanbrook), is hereby amended by adding the following provisions (Schedule "A" – Blocks 1,2,3,4 and 5 of this by-law):
 - a) Block 1 - change from *H-R3-162* to *H-R3-168*;
 - b) Block 2 – change from *H-R3-162* to *H-R4-169* to establish zoning standards as per the *Residential "R4"* zoning category (Section 16 – By-law No. 464 (Glanbrook)) with the exception that no buildings, structures or swimming pools, except for a fence, shall be located less than 10.0 metres from the northerly limits of the block abutting the Hydro corridor;
 - c) Block 3 -change from *H-R3-162* to *H-R4-170* to establish zoning standards as per the *Residential "R4"* zoning category (Section 16 – By-law No. 464 (Glanbrook)) with the exception that all dwellings shall be setback a minimum distance of 33.0 metres from the centre line of the Garth Street right of way;
 - d) Block 4 -change from *H-C1-162* to *H-C1-171* to establish zoning standards as per the *Neighbourhood Commercial "C1"* zoning category (Section 23 - By-law No. 464 (Glanbrook), with the following exceptions: the maximum total gross leasable floor area as contained in Section 23.2 (f) of By-law No. 464 (Glanbrook) shall not apply; and a maximum lot area of 0.8 hectares (2 acres) shall be permitted for the lands zoned *H-C1-171*;
 - e) Block 5 – amend the *H-RM3-162* provisions as follows:
 - (i) That the following clause "(g)" be added to Paragraph 2 of Exception Number *H-RM3-162* (and By-law No. 464-71-00 (Glanbrook)):

“(g) That no buildings, structures or swimming pools, except for a fence shall be located less than 10.0 metres from the northerly limits of this block.”

- (ii) Notwithstanding any other provisions to the contrary, Paragraph 3.3 (c)(iii) of Exception Number H-RM3-162 (and By-law No. 464-71-00 (Glanbrook)), respecting the minimum distance between blocks of townhouse dwelling units, is deleted in its entirety and replaced with the following:

“(iii) Minimum distance between blocks of townhouse dwelling units:

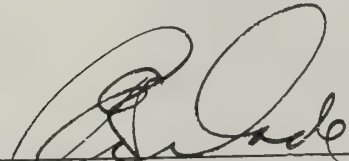
- A. 3.0 metres between two (2) end walls; and,
- B. 7.5 metres between an end wall which contains no window(s) to a habitable room and a face wall; and,
- C. 9.0 metres between an end wall which contains at least one (1) window to a habitable room and a face wall; and,
- D. 15.0 metres between two (2) face walls; and,
- E. for the purposes of this Section, a face wall shall consist of the main front wall or main rear wall of a townhouse dwelling unit. All other walls shall be considered end walls.”

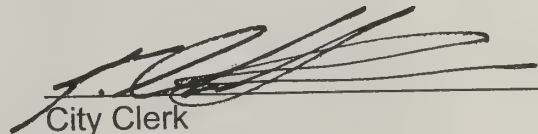
2. **SECTION 44: EXCEPTIONS TO THE PROVISIONS OF THIS BY-LAW** of Zoning By-law No. 464 (Glanbrook) shall be amended to include Exception Numbers *H-R3-168*, *H-R4-169*, *H-R4-170* and *H-C1-171*, in accordance with Paragraph 1 of this By-law and the specific provisions established by this By-law.
3. **SECTION 44: EXCEPTIONS TO THE PROVISIONS OF THIS BY-LAW** of Zoning By-law No. 464 (Glanbrook) shall be amended by deleting Exception Number *H-C1-162* and its associated regulations, in their entirety.
4. The first paragraph of Exception Number H-R3-162/H-C1-162 of **SECTION 44: EXCEPTIONS TO THE PROVISIONS OF THIS BY-LAW** of Zoning By-law No. 464 (Glanbrook) shall be amended to read as follows:

H-R3-162	“The removal of the holding symbol “H” by By-law for the lands zoned modified <i>Holding Residential “H-R3-162”, Holding Residential “H-R3-168”, Holding Residential “H-R4-169”, Holding Residential “H-R4-170”, and Holding Neighbourhood Commercial “H-C1-171”, as shown on the attached Schedule A of this By-law, shall be subject to the following:”</i>
H-R3-168	
H-R4-169	
H-R4-170	
H-C1-171	
5. The metric numerical figures contained within this By-law shall be the actual requirements of this By-law. The imperial figures are approximate and are provided for information purposes only.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and enacted this 10th day of July, 2001.

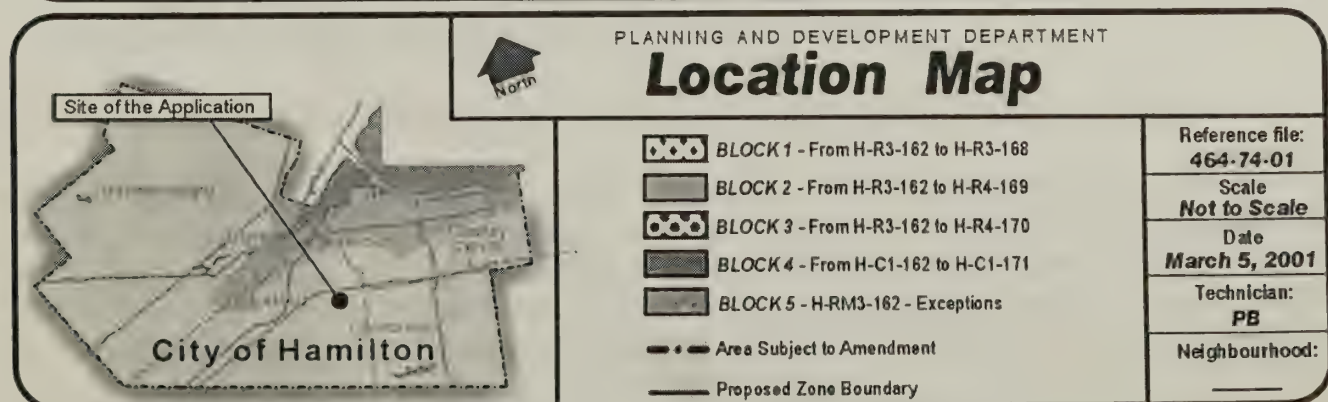
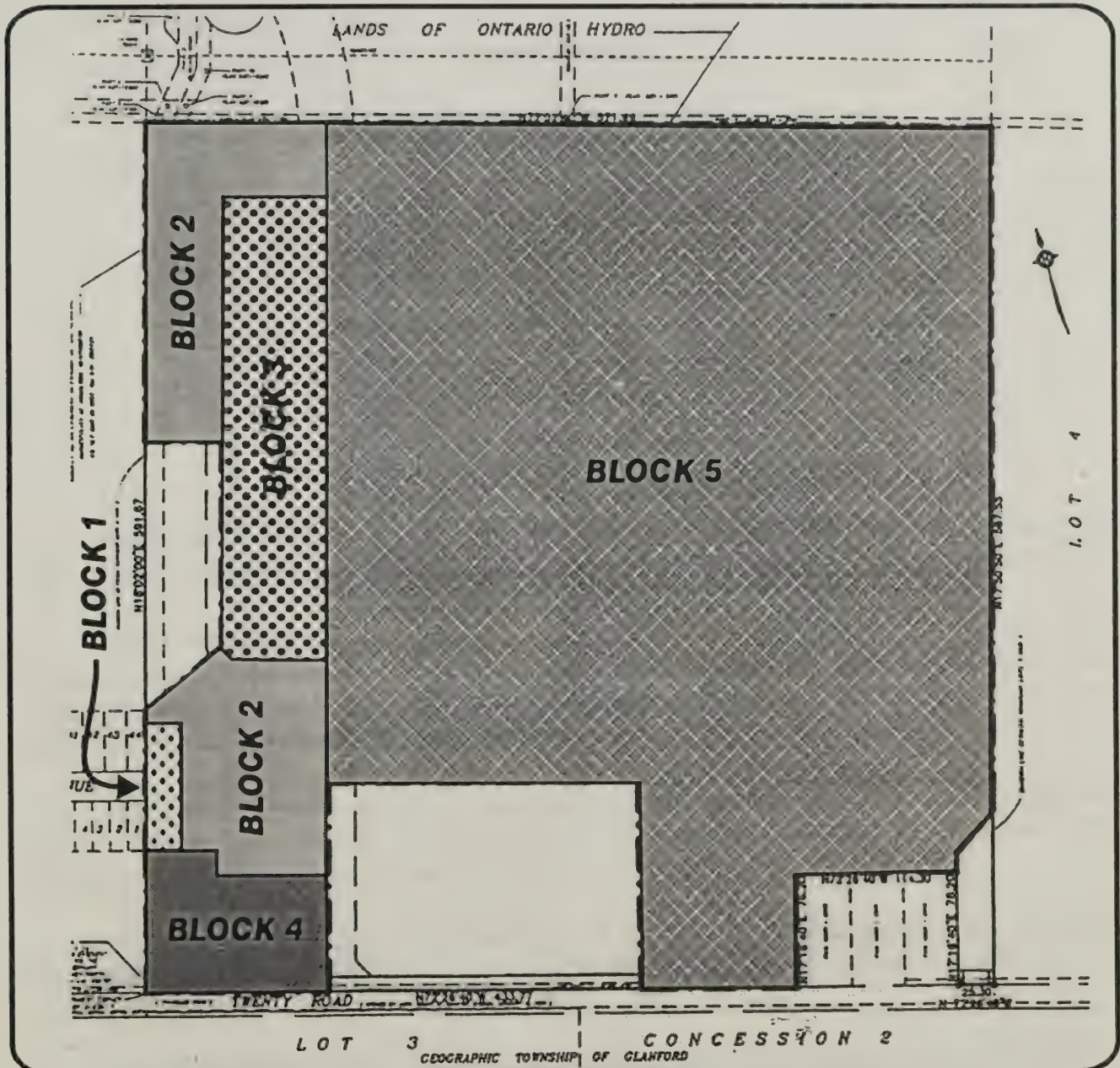


Mayor

City Clerk

Thomas Roy Berry and Margaret Berry (Owners)
E-1-183

Schedule "A"



City of Hamilton

BY-LAW NO. 01-155

To Amend:

Zoning By-law No. 87-57 (Ancaster), as amended

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 464 HAMILTON DRIVE
AND 439 GARNER ROAD WEST
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987 and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing from the Agricultural "A-216" Zone to the Public Open Space "O2" Zone, Residential "R3-461", "R3-462", "R3-463", "R3-464" and "R3-465" Zones those lands located within part of lots 38 and 39, concession 4, geographic township of Ancaster and more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

R3-461 Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential “R3” or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-461, described as part of lots 38 and 39, concession 3, shall be subject to the following:

- 1.0 notwithstanding the provisions of Sections 11.3.2 (b) - Regulations of the Residential “R3” Zone, the minimum lot frontage shall be 15.2m, except that no more than 19 lots may have a lot frontage less than 15.0 metres; except on a corner lot the minimum lot frontage shall be 19.2m;
- 2.0 notwithstanding Section 11.3.2 (a) - Regulations of the Residential “R3” Zone, the minimum lot area shall be 495 square metres, except on a corner lot the minimum lot area shall be 610 square metres.

R3-462 Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential “R3” or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-462, described as part of lots 38 and 39, concession 3, shall be subject to the provisions the R3-461 Zone, except for the following:

- 1.0 notwithstanding Section 11.3.2 Regulations of the Residential “R3” Zone, as it refers to Section 11.1.2 (f) - Regulations of the Residential “R1” Zone, the minimum rear yard shall be 12.0 metres.

R3-463 Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential “R3” or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-463, described as part of lots 38 and 39, concession 3, shall be subject to the provisions the R3-461 Zone, except for the following:

- 1.0 notwithstanding Section 11.3.2 Regulations of the Residential “R3” Zone, the minimum rear yard shall be 12.0 metres; however, no buildings, structures, pools, sheds or any other accessory structure shall be constructed within 6.0 metres of the rear lot line.

R3-464 Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential “R3” or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-464, described as part of lots 38 and 39, concession 3, shall be subject to the provisions the R3-461 Zone, except for the following:

- 1.0 notwithstanding Section 11.3.2 Regulations of the Residential “R3” Zone, the minimum rear yard shall be 15.0 metres; however, no buildings, structures, pools, sheds or any other accessory structure shall be constructed within 6.0 metres of the rear lot line.

R3-465 Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential “R3” or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-465, described as part of lots 38 and 39, concession 3, shall be subject to the provisions the R3-461 Zone, except for the following:

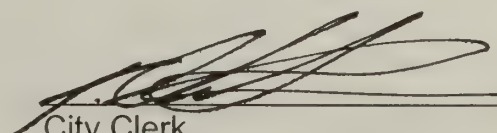
- 1.0 That the amending by-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands, by introducing the holding symbol ‘H’ as a suffix to the proposed “R3-465” Zone. The holding provisions will prohibit the development of the subject lands, except for its use as an interim stormwater management pond, until such time as the following condition has been satisfied:
 - (a) That a permanent stormwater management facility has been put in place to the satisfaction of the Director of Development Planning.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

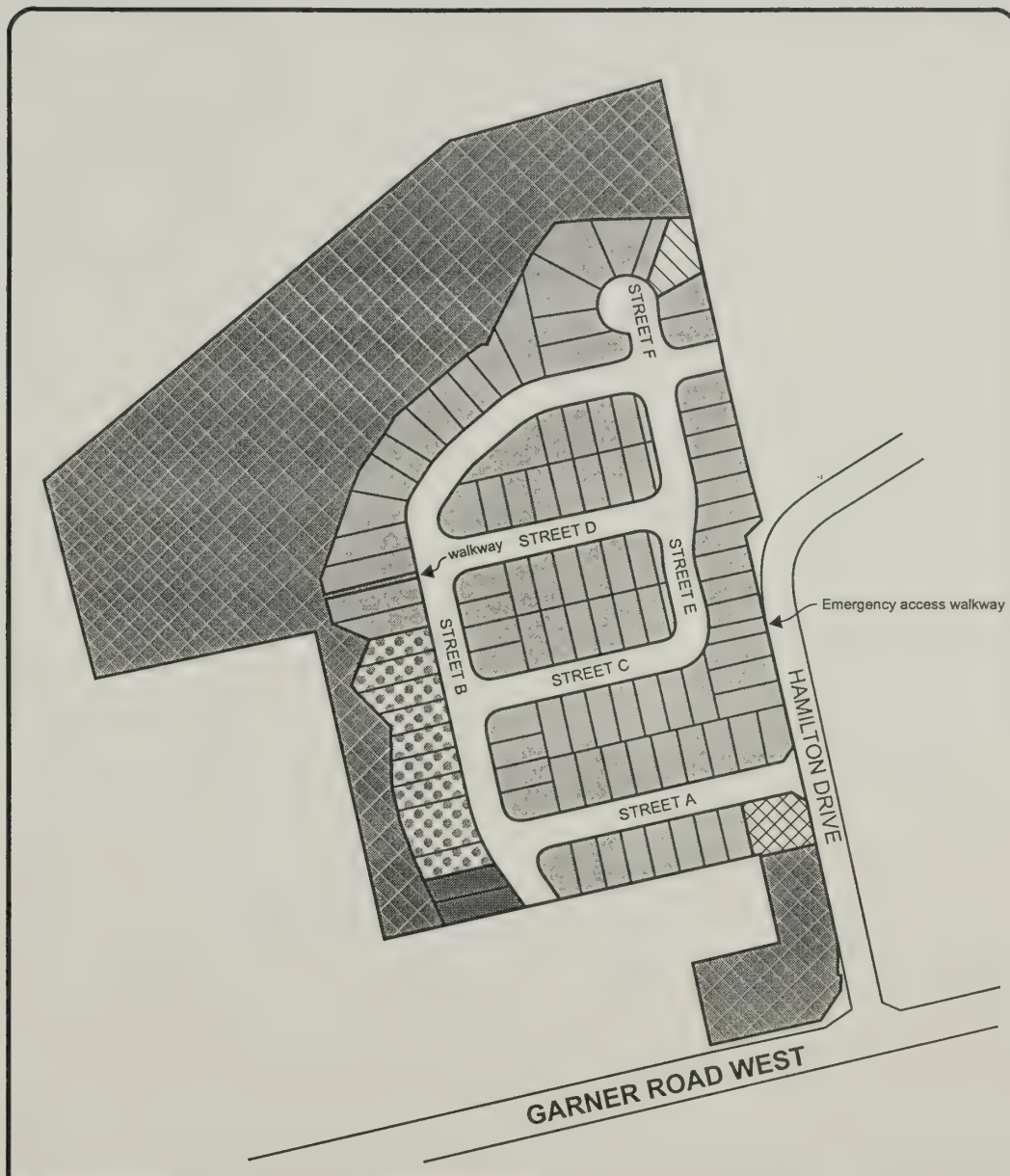
PASSED and enacted this 10th day of July, 2001.



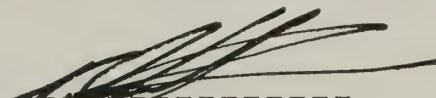
Mayor



City Clerk



This is Schedule "A" to By-Law No. 01-155
 Passed the 10th day of July 2001


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 01-155
 to Amend By-Law No. 87-57 (Ancaster)

Planning and Development Department

Legend

-  Change in zoning from Agricultural "A-216" Zone to Residential "R3-461" Zone
-  Change in zoning from Agricultural "A-216" Zone to Residential "R3-462" Zone
-  Change in zoning from Agricultural "A-216" Zone to Residential "R3-463" Zone
-  Change in zoning from Agricultural "A-216" Zone to Residential "R3-464" Zone
-  Change in zoning from Agricultural "A-216" Zone to Residential "R3-465" Zone
-  Change in zoning from Agricultural "A-216" Zone to Public Open Space "O2" Zone



North

Scale
Not to scale
 Date
July 4, 2001

Reference File No.
ZB-00-16
 Drawn By
PB

* SEE BOUND COPY OF

01 - 156

THE CITY OF HAMILTON

BY-LAW NO. 01-157

A BY-LAW TO SET AND LEVY THE RATES OF TAXATION
FOR THE YEAR 2001

WHEREAS the Municipal Act provides the authority for the Council of the City of Hamilton, to levy on the whole rateable property according to the last returned assessment roll for the current year, the tax rates required for the City and Public and Separate school purposes.

AND WHEREAS the total assessable property according to the last returned assessment roll is \$26,187,240,205;

AND WHEREAS section 368 of the *Municipal Act* provides that for each municipal levy, the tax rates to be levied on the different classes of property shall be in the same proportion to each other as the tax ratios for the property classes established under section 363 of the *Municipal Act* are to each other;

AND WHEREAS the City of Hamilton By-law No. XX establishes optional tax classes, tax ratios and tax reduction amounts;

AND WHEREAS section 15 of the *City of Hamilton Act* provides for the establishment of municipal service areas including public transportation, fire protection and prevention and storm sewer services;

AND WHEREAS section 12 and 13 of the *City of Hamilton Act* provides for the establishment of merged areas and the taxation within these merged areas for special services and other adjustments to the general local municipality levy;

AND WHEREAS the *Education Act* provides that tax rates for school boards shall be prescribed as follows;

1. For the residential / farm and multi-residential property classes a single tax rate, being .373% as set out in Ontario Regulation 169/01.
2. For the farmlands and managed forest property classes a tax rate equal to .09325% as set out in Ontario Regulation 169/01.
3. For the pipelines property class a single tax rate, being 1.545241% as set out in Ontario Regulation 169/01.

4. For properties within the commercial classes the rates set out in schedule "C", subject to provincial approval. Failing provincial approval an amending by-law will be prepared to adopt the approved tax rate.
5. For properties within the industrial classes the rates set out in schedule "C", subject to provincial approval. Failing provincial approval an amending by-law will be prepared to adopt the approved tax rate.
6. Applicable tax reductions as per Section 368.1 of the Municipal Act with respect to the subclasses prescribed under subsection 8(1) of the Assessment Act.

AND WHEREAS Section 220 of the Municipal Act requires the City to levy a special charge upon the rateable property in the Business Improvement Areas that is in a prescribed business property class sufficient to provide a sum equal to the sum of money for the purposes of the Boards of Management of the Business Improvement Areas;

AND WHEREAS the City has created the eleven (11) Business Improvement Areas, listed in Schedule 'E' attached to this Bylaw;

AND WHEREAS the amount of money to be provided by the City to the Boards of Management of the Business Improvement Area's for the year 2001 is set out in Schedule 'E';

AND WHEREAS the total rateable property in the Business Improvement Areas, upon which assessment will be levied, is set out in Schedule 'E' and which said assessment is the basis upon which the taxes for the Business Improvement Area will be raised;

NOW THEREFORE the Council of the City of Hamilton hereby enacts as follows:

1)

- a) The City Council hereby adopts the sum of \$461,250,020 as per Schedule "A" attached hereto, as the amounts required for the general purposes of the City of Hamilton for special purposes including transit, storm sewers, fire, culture and recreation and other services, for the year 2001.
- b) The levies for City purposes and Education purposes as set out in Schedule 'B' shall be collected on the rateable property of the City of Hamilton.

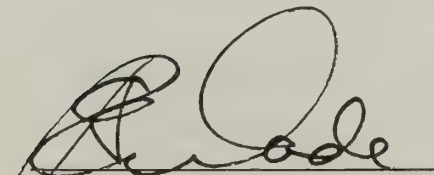
- 2) THAT the tax rates set out in Schedule 'C' attached hereto shall be levied upon the Residential/Farm Assessment, the Multi-Residential Assessment, the Commercial Assessment, the Industrial Assessment, the Pipeline Assessment, the Farmland Assessment and the Managed Forest Assessment and the applicable subclasses for General City purposes and Education as set out therein.

3)

- a) THAT the tax rates set out in Schedule 'D' attached hereto shall be levied upon the Residential/Farm Assessment, the Multi-Residential Assessment, the Commercial Assessment, the Industrial Assessment, the Pipeline Assessment, the Farmland Assessment and the Managed Forest Assessment and the applicable subclasses for Storm Sewer purposes as set out therein.
 - b) THAT the tax rates set out in Schedule 'D' attached hereto shall be levied upon the Residential/Farm Assessment, the Multi-Residential Assessment, the Commercial Assessment, the Industrial Assessment, the Pipeline Assessment and the applicable subclasses in the Transit Service Area for Transit purposes as set out therein.
 - c) THAT the tax rates set out in Schedule 'D' attached hereto shall be levied upon the Residential/Farm Assessment, the Multi-Residential Assessment, the Commercial Assessment, the Industrial Assessment, the Pipeline Assessment, the Farmland Assessment and the Managed Forest Assessment and the applicable subclasses for Fire Services purposes as set out therein.
 - d) THAT the tax rates set out in Schedule 'D' attached hereto shall be levied upon the Residential/Farm Assessment, the Multi-Residential Assessment, the Commercial Assessment, the Industrial Assessment, the Pipeline Assessment, the Farmland Assessment and the Managed Forest Assessment and the applicable subclasses for Culture and Recreation Services purposes as set out therein.
 - e) THAT the tax rates set out in Schedule 'D' attached hereto shall be levied upon the Residential/Farm Assessment, the Multi-Residential Assessment, the Commercial Assessment, the Industrial Assessment, the Pipeline Assessment, the Farmland Assessment and the Managed Forest Assessment and the applicable subclasses for Financial purposes as set out therein.
- 4) THAT the tax rates set out in Schedule 'E' attached hereto shall be levied upon the rateable property as set out therein for the purposes of raising the sums of money required by the respective Boards of Management of the eleven (11) Business Improvement Areas.
- 5) THAT the collector shall proceed to collect the amount to be raised by this by-law, together with all other sums on the tax roll in the manner as set forth in the Assessment Act, the Municipal Act, and any other applicable Acts and the By-laws in force in this Municipality.

- 6) All property taxes and special levies other than those levied by interim levy, shall be paid in two installments, the first due no earlier than August 15, 2001 and the second due September 28, 2001.
- 7) THAT in default of payment of any instalment of taxes or any part of any instalment, by the first day past the due date for the payment thereof, the subsequent installment or installments shall forthwith become due and payable.
- 8) THAT when payment of any instalment or any part of any instalment of taxes levied by this by-law is in default, penalties and where applicable interest, shall be imposed respectively in accordance with City of Hamilton policies.
- 9) THAT the Treasurer is authorized and directed to serve personally or to mail or cause to be mailed, notices of the taxes hereby levied to the person or persons taxed at the address of the resident or place of business of such person.
- 10) THAT the Treasurer and Collector of Taxes is authorized to accept part payment from time to time on account of any taxes due, or alternatively is authorized to refuse acceptance of any such part payment.
- 11) Schedules "A", "B", "C", "D" and "E", attached to this By-law, form part of this By-law.

PASSED AND ENACTED THIS 10TH DAY OF JULY, 2001.



MAYOR



CITY CLERK

CITY OF HAMILTON

BY-LAW NO. 01-157

Schedule "A"

Page 1 of 1

2001 Operating Budget

2001 Levy

City Services

Legislative	3,206,800
City Manager	599,730
Corporate Secretariat	5,128,780
Economic Development	3,474,450
Finance & Corporate Services	15,129,800
Human Resources	3,091,430
Planning & Development	38,953,930
Social & Public Health Services	89,247,880
Transportation, Operations & Environment	89,017,840
Community Services	50,797,550
Outside Boards & Agencies	14,096,750
Grants	2,922,810
Corporate Financials	15,146,220

Sub-Total Property Tax Levy for City Services

330,813,970

Police Services

81,621,740

Non Program Revenues

(46,847,700)

Total Property Tax Levy for General Purposes

365,588,010

Area Rated Services

Storm Sewers	10,666,770
Transit	22,669,610
Culture & Recreation	21,465,000
Fire	40,713,880
Financial (Other)	146,750

Total Property Tax Levy for Area Rated Services

95,662,010

Total Property Tax Levy Requirement

461,250,020

CITY OF HAMILTON

BY-LAW NO. 01- 157

2001 Tax Rates and Levy - Total Tax Levy

Property Class	General Levy	Storm Sewers Levy	Culture & Recreation Levy	Fire Levy	Financial (Other) Levy	Transit Levy	Education Levy	Total All Levies
1 Residential and Farm 1 Land Awaiting Development	RT C1 211,213,198 774	5,456,587 7	11,640,686 19	22,097,338 72	90,025 10	11,695,430 22	76,539,444 280	338,732,708 1,183
2 Multi-Residential	MT 46,586,621	1,760,620	3,174,779	5,983,741	52,104	3,717,143	5,629,230	66,904,238
3a Commercial - Residual	CT 50,703,785	1,581,148	3,091,430	5,853,727	15,236	3,336,132	59,962,993	124,544,450
- vacant bldg, excess land	CU 463,225	8,847	20,951	44,589	645	19,270	547,816	1,105,343
Commercial - Office Building	DT 836,807	35,137	61,474	112,916	(1,017)	73,012	989,620	2,107,950
- vacant bldg, excess land	DU -	-	-	-	-	-	-	-
3b Commercial - Parking Lot	GT 369,679	15,479	27,108	49,836	(338)	32,197	437,188	931,148
- vacant land	CX 2,035,498	52,163	108,938	218,012	2,613	110,334	2,407,208	4,934,766
3c Commercial - Shopping	ST 16,118,074	567,017	1,075,250	1,965,376	12	1,179,568	19,061,456	39,966,753
- vacant bldg, excess land	SU 12,188	192	513	1,069	99	480	14,414	28,955
4a Industrial - Residual	IT 10,274,036	239,733	508,122	1,074,840	20,015	526,050	9,273,349	21,916,145
- vacant bldg, excess land,	IU 10,031	422	738	1,356	(12)	877	9,054	22,466
- vacant land	IX 482	-	13	21	-	-	435	951
4b Industrial - Large	LT 23,386,771	908,408	1,610,528	3,066,125	4,698	1,911,272	21,108,909	51,996,711
- vacant bldg, excess land	LU 10,033	422	738	1,356	(12)	877	9,056	22,471
5 Pipelines	PT 2,566,898	37,555	112,529	193,725	(23,797)	66,945	2,733,397	5,687,252
6 Farmlands	FT 983,606	2,988	30,664	49,004	(13,273)	-	356,439	1,409,428
7 Managed Forests	TT 16,304	47	520	778	(258)	-	5,908	23,299
TOTAL	365,588,010	10,666,770	21,465,000	40,713,880	146,750	22,669,610	199,086,196	660,336,216

CITY OF HAMILTON

BY-LAW NO. 01- 157

2001 Tax Rates and Levy - General Purposes and Provincial Education

Schedule "C"
Page 1 of 1

Property Class	Current Value Assessment	General Rate	General Levy	Education Rate	Education Levy
1 Residential and Farm	RT	0.010293062	211,213,198	0.003730000	76,539,444
1 Land Awaiting Development	C1	0.004631878	774	0.001678500	280
2 Multi-Residential	MT	0.030868892	46,586,621	0.003730000	5,629,230
3a Commercial - Residual	CT	0.024966851	50,703,785	0.029526141	59,962,993
- vacant bldg, excess land	CU	0.017476796	463,225	0.020668298	547,816
Commercial - Office Building	DT	0.024966851	836,807	0.029526141	989,620
- vacant bldg, excess land	DU	0.017476796	-	0.020668298	-
3b Commercial - Parking Lot	GT	0.024966851	369,679	0.029526141	437,188
- vacant land	CX	0.024966851	2,035,498	0.029526141	2,407,208
3c Commercial - Shopping	ST	0.024966851	16,118,074	0.029526141	19,061,456
- vacant bldg, excess land	SU	0.017476796	12,188	0.020668298	14,414
4a Industrial - Residual	IT	0.039478009	10,274,036	0.035632868	9,273,349
- vacant bldg, excess land,	IU	0.025660706	10,031	0.023161364	9,054
- vacant land	IX	0.025660706	482	0.023161364	435
4b Industrial - Large	LT	0.046960652	23,386,771	0.042386704	21,108,909
- vacant bldg, excess land	LU	0.030524424	10,033	0.027551358	9,056
5 Pipelines	PT	0.014511159	2,566,898	0.015452410	2,733,397
6 Farmlands	FT	0.002573265	983,606	0.000932500	356,439
7 Managed Forests	TT	0.002573265	16,304	0.000932500	5,908
TOTAL			365,588,010		199,086,196

2001 Tax Rates and Levy - Area Rated Services

Table 3 - Ancaster

Property Class	Current Value Assessment	Storm Sewers Rate	Storm Sewers Levy	Culture & Recreation Rate	Culture & Recreation Levy	Fire Rate	Fire Levy	Financial (Other) Rate	Financial (Other) Levy	Current Value Assessment Transit Service	Transit Rate	Transit Levy
1 Residential and Farm Land Awaiting Development	RT C1 1,956,231,810	0.0001172243	229,355	0.000561277	1,097,988	0.000673566	1,317,650	0.0000000000	0	1,637,373,339	0.000155120	253,990
2 Multi-Residential	MT 7,212,000	0.000052759	-	0.000252575	-	0.000303104	-	0.0000000000	0	-	0.000069804	-
3a Commercial - Residential	CT 142,783,322	0.0000351612	2,536	0.001683270	12,140	0.002020023	14,568	0.0000000000	0	7,212,000	0.000465205	3,355
- vacant bldg, excess land	CU 3,053,057	0.0000284385	40,605	0.001361434	194,390	0.001633801	233,279	0.0000000000	0	96,240,540	0.000376259	36,211
Commercial - Office Building	DT -	0.000199070	608	0.000953003	2,910	0.001143660	3,492	0.0000000000	0	83,092	0.000263382	22
- vacant bldg, excess land	DU -	0.000284385	-	0.001361434	-	0.001633801	-	0.0000000000	0	-	0.000376259	-
3 Commercial - Parking Lot	GT -	0.000199070	-	0.000953003	-	0.001143660	-	0.0000000000	0	-	0.000263382	-
- vacant land	CX 7,116,020	0.000284385	2,024	0.001361434	9,688	0.001633801	11,626	0.0000000000	0	3,787,020	0.000376259	1,425
3c Commercial - Shopping	ST 65,057,430	0.000284385	18,501	0.001361434	88,571	0.001633801	106,291	0.0000000000	0	65,057,430	0.000376259	24,478
- vacant bldg, excess land	SU -	0.000199070	-	0.000953003	-	0.001143660	-	0.0000000000	0	-	0.000263382	-
4a Industrial - Residential	IT 11,557,259	0.000449675	5,197	0.002152722	24,880	0.002583393	29,857	0.0000000000	0	270,188	0.000594948	161
- vacant bldg, excess land,	IU -	0.000292288	-	0.001399269	-	0.001679206	-	0.0000000000	0	-	0.000386716	-
- vacant land	IX -	0.000292288	-	0.001399269	-	0.001679206	-	0.0000000000	0	-	0.000386716	-
4 Industrial - Large	LT -	0.000534906	-	0.002560748	-	0.003073048	-	0.0000000000	0	-	0.000707714	-
- vacant bldg, excess land	LU -	0.000347689	-	0.001664486	-	0.001997481	-	0.0000000000	0	-	0.000460014	-
5 Pipelines	PT 23,346,000	0.000165289	3,859	0.000791288	18,473	0.000949593	22,169	0.0000000000	0	-	0.000218688	-
6 Farmlands	FT 70,247,638	0.000029311	2,059	0.000140319	9,857	0.000168391	11,829	0.0000000000	0	-	0.000000000	-
7 Managed Forests	TT 1,234,806	0.000029311	36	0.000140319	173	0.000168391	208	0.0000000000	0	-	0.000000000	-
TOTAL	2,287,839,342		304,780		1,459,070		1,750,970		-	1,810,023,609		319,642

Table 4 - Dundas

Property Class	Current Value Assessment	Storm Sewers Rate	Storm Sewers Levy	Culture & Recreation Rate	Culture & Recreation Levy	Fire Rate	Fire Levy	Financial (Other) Rate	Financial (Other) Levy	Current Value Assessment Transit Service	Transit Rate	Transit Levy
1 Residential and Farm Land Awaiting Development	RT C1 1,298,070,355	0.000040931	53,132	0.000310162	402,612	0.000757560	983,366	0.000429879	558,013	1,234,235,858	0.000252843	312,068
2 Multi-Residential	MT 64,358,150	0.00018419	-	0.000139573	-	0.000340902	-	0.000193445	0	-	0.000113779	-
3a Commercial - Residential	CT 63,758,030	0.000099283	7,900	0.000930175	59,864	0.002271922	146,217	0.001289206	82,971	64,358,150	0.000758277	48,801
- vacant bldg, excess land	CU 353,500	0.000069498	6,330	0.000752328	47,967	0.001837537	117,158	0.001042714	66,461	62,005,980	0.000613297	38,028
Commercial - Office Building	DT -	0.000099283	25	0.000526630	186	0.001286276	455	0.000729900	258	254,265	0.000429308	109
- vacant bldg, excess land	DU -	0.000069498	-	0.000752328	-	0.001837537	-	0.001042714	0	-	0.000613297	-
3 Commercial - Parking Lot	GT 82,000	0.000099283	8	0.000752328	62	0.001837537	151	0.001042714	86	82,000	0.000613297	50
- vacant land	CX 1,497,700	0.000099283	149	0.000752328	1,127	0.001837537	2,752	0.001042714	1,562	1,497,700	0.000613297	919
3c Commercial - Shopping	ST 14,137,700	0.000099283	1,404	0.000752328	10,636	0.001837537	25,979	0.001042714	14,742	14,137,700	0.000613297	8,671
- vacant bldg, excess land	SU 226,100	0.000069498	16	0.000526630	119	0.001286276	291	0.000729900	165	226,100	0.000429308	97
4a Industrial - Residential	IT 8,698,545	0.000156987	1,366	0.001189594	10,348	0.002905546	25,274	0.001648757	14,342	8,638,975	0.00069755	8,378
- vacant bldg, excess land,	IU -	0.000102042	-	0.000773236	-	0.001888605	-	0.001071692	0	-	0.000630341	-
- vacant land	IX -	0.000102042	-	0.000773236	-	0.001888605	-	0.001071692	0	-	0.000630341	-
4 Industrial - Large	LT -	0.000186743	-	0.001415069	-	0.003456261	-	0.001961262	0	-	0.001153562	-
- vacant bldg, excess land	LU -	0.000121383	-	0.000919795	-	0.002246570	-	0.001274820	0	-	0.000749815	-
5 Pipelines	PT 5,367,000	0.000057705	310	0.000437266	2,347	0.001068008	5,732	0.000606043	3,253	-	0.000356458	-
6 Farmlands	FT 649,200	0.000010233	7	0.000077540	50	0.000189390	123	0.000107470	70	-	0.000000000	-
7 Managed Forests	TT 546,830	0.000010233	6	0.000077540	42	0.000189390	104	0.000107470	59	-	0.000000000	-
TOTAL	1,457,745,110		70,650		535,535		1,307,600		742,000	1,385,436,728		417,121

2001 Tax Rates and Levy - Area Rated Services

CITY OF HAMILTON
BY-LAW NO. 01- 157

Schedule "D"
Page 3 of 3

Table 5 - Flamborough

Property Class	Current Value Assessment	Storm Sewers Rate	Storm Sewers Levy	Culture & Recreation Rate	Culture & Recreation Levy	Fire Rate	Fire Levy	Financial (Other) Rate	Financial (Other) Levy	Current Value Assessment Transit Service	Transit Rate	Transit Levy
1 Residential and Farm	RT	2,325,568,686	0.000000000	0.000261719	608,645	0.000395393	919,513	(0.000306270)	(712,252)	-	0.000000000	-
1 Land Awaiting Development	C1	-	0.000000000	0.000117773	-	0.000177927	-	(0.000137821)	0	-	0.000000000	-
2 Multi-Residential	MT	19,823,500	0.000000000	0.000784894	15,559	0.001185783	23,506	(0.000918504)	(18,208)	-	0.000000000	-
3a Commercial - Residential	CT	123,446,923	0.000000000	0.000634825	78,367	0.000959065	118,394	(0.000742888)	(91,707)	-	0.000000000	-
- vacant bldg, excess land	CU	3,251,923	0.000000000	0.000444377	1,445	0.000671345	2,183	(0.000520022)	(1,691)	-	0.000000000	-
Commercial - Office Building	DT	73,460	0.000000000	0.000634825	47	0.000959065	70	(0.000742888)	(55)	-	0.000000000	-
- vacant bldg, excess land	DU	-	0.000000000	0.000444377	-	0.000671345	-	(0.000520022)	0	-	0.000000000	-
Commercial - Parking Lot	GT	-	0.000000000	0.000634825	-	0.000959065	-	(0.000742888)	0	-	0.000000000	-
- vacant land	CX	5,976,200	0.000000000	0.000634825	3,794	0.000959065	5,732	(0.000742888)	(4,440)	-	0.000000000	-
3c Commercial - Shopping	ST	15,737,910	0.000000000	0.000634825	9,991	0.000959065	15,094	(0.000742888)	(11,692)	-	0.000000000	-
- vacant bldg, excess land	SU	158,650	0.000000000	0.000444377	71	0.000671345	107	(0.000520022)	(83)	-	0.000000000	-
4a Industrial - Residential	IT	27,379,973	0.000000000	0.001003795	27,484	0.001516490	41,521	(0.001174668)	(32,162)	-	0.000000000	-
- vacant bldg, excess land,	IU	-	0.000000000	0.000652467	-	0.000985718	-	(0.000763534)	0	-	0.000000000	-
- vacant land	IX	-	0.000000000	0.000652467	-	0.000985718	-	(0.000763534)	0	-	0.000000000	-
4 Industrial - Large	LT	-	0.000000000	0.001194054	-	0.001803925	-	(0.001397314)	0	-	0.000000000	-
- vacant bldg, excess land	LU	-	0.000000000	0.000776135	-	0.001172551	-	(0.000908254)	0	-	0.000000000	-
5 Pipelines	PT	64,761,000	0.000000000	0.000368971	23,895	0.000557425	36,099	(0.000431779)	(27,962)	-	0.000000000	-
6 Farmlands	FT	188,487,688	0.000000000	0.00065430	12,333	0.00098848	18,632	(0.00076567)	(14,432)	-	0.000000000	-
7 Managed Forests	TT	4,136,054	0.000000000	0.00065430	271	0.00098848	409	(0.00076567)	(317)	-	0.000000000	-
TOTAL		2,778,801,967			781,900		1,181,280		(915,000)	-		-

Table 6 - Glanbrook

Property Class	Current Value Assessment	Storm Sewers Rate	Storm Sewers Levy	Culture & Recreation Rate	Culture & Recreation Levy	Fire Rate	Fire Levy	Financial (Other) Rate	Financial (Other) Levy	Current Value Assessment Transit Service	Transit Rate	Transit Levy
1 Residential and Farm	RT	712,568,735	0.000000000	0.000271250	193,284	0.000448026	319,250	0.000000000	0	266,194,714	0.000405598	107,968
1 Land Awaiting Development	C1	-	0.000000000	0.000122063	-	0.000201612	-	0.000000000	0	-	0.000182519	-
2 Multi-Residential	MT	927,000	0.000000000	0.000813479	754	0.001343631	1,246	0.000000000	0	-	0.001216387	-
3a Commercial - Residential	CT	39,542,258	0.000000000	0.000657944	26,017	0.001086733	42,972	0.000000000	0	19,060,672	0.000983818	18,752
- vacant bldg, excess land	CU	658,110	0.000000000	0.000460561	303	0.000760713	501	0.000000000	0	438,765	0.00068672	302
Commercial - Office Building	DT	-	0.000000000	0.000657944	-	0.001086733	-	0.000000000	0	-	0.000983818	-
- vacant bldg, excess land	DU	-	0.000000000	0.000460561	-	0.000760713	-	0.000000000	0	-	0.00068672	-
3 Commercial - Parking Lot	GT	-	0.000000000	0.000657944	-	0.001086733	-	0.000000000	0	-	0.000983818	-
- vacant land	CX	2,633,000	0.000000000	0.000657944	1,732	0.001086733	2,861	0.000000000	0	1,395,500	0.000983818	1,373
3c Commercial - Shopping	ST	789,800	0.000000000	0.000657944	520	0.001086733	868	0.000000000	0	-	0.000983818	-
- vacant bldg, excess land	SU	-	0.000000000	0.000460561	-	0.000760713	-	0.000000000	0	-	0.00068672	-
4a Industrial - Residential	IT	4,079,690	0.000000000	0.001040352	4,244	0.001718360	7,010	0.000000000	0	528,230	0.001555629	822
- vacant bldg, excess land,	IU	-	0.000000000	0.000676229	-	0.001116934	-	0.000000000	0	-	0.001011159	-
- vacant land	IX	18,800	0.000000000	0.000676229	13	0.001116934	21	0.000000000	0	-	0.001011159	-
4 Industrial - Large	LT	-	0.000000000	0.001237540	-	0.002044058	-	0.000000000	0	-	0.001850483	-
- vacant bldg, excess land	LU	-	0.000000000	0.000804401	-	0.001328637	-	0.000000000	0	-	0.001202814	-
5 Pipelines	PT	21,081,000	0.000000000	0.000382408	8,062	0.000631628	13,315	0.000000000	0	-	0.000577812	-
6 Farmlands	FT	87,978,491	0.000000000	0.00067813	5,966	0.00112007	9,854	0.000000000	0	-	0.000000000	-
7 Managed Forests	TT	373,095	0.000000000	0.00067813	25	0.000112007	42	0.000000000	0	-	0.000000000	-
TOTAL		870,649,979			24,000		397,930		0	287,617,881		129,217

CITY OF HAMILTON

BY-LAW NO. 01- 157

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2001 Tax Rates and Levy - Business Improvement Areas

Table 1 - Concession Street

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 9,319,257	2.4256	22,604,790	0.00	\$ 22,604,790	0.002609974	\$ 24,323.02
- vacant bldg, excess land	CU	1.6979	-	0.30	-	0.001278887	-
3c Commercial - Shopping	ST \$	2.4256	-	0.00	-	0.002609974	-
- vacant bldg, excess land	SU \$	1.6979	-	0.30	-	0.001278887	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 700,000	2.4256	1,697,920	0.00	\$ 1,697,920	0.002609974	\$ 1,826.98
4a Industrial - Residual	IT \$	3.8354	-	0.00	-	0.004126935	-
- vacant bldg, excess land,	IU \$	2.4930	-	0.35	-	0.001743630	-
4b Industrial - Large	LT \$	4.5624	-	0.00	-	0.004909153	-
- vacant bldg, excess land	LU \$	2.9655	-	0.35	-	0.002074117	-
Total	\$ 10,019,257		\$ 24,302,710		\$ 24,302,710		\$ 26,150.00

Approved 2001 Budget \$ 26,150 divided by assessment vacancy adjusted \$ 24,302,710 equals tax rate 0.001076012 at ratio 1.00.

Table 2 - Westdale

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 11,102,151	2.4256	26,929,377	0.00	\$ 26,929,377	0.004053269	\$ 45,000.00
- vacant bldg, excess land	CU	1.6979	-	0.30	-	0.001986102	-
3c Commercial - Shopping	ST \$	2.4256	-	0.00	-	0.004053269	-
- vacant bldg, excess land	SU \$	1.6979	-	0.30	-	0.001986102	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$	2.4256	-	0.00	-	0.004053269	-
4a Industrial - Residual	IT \$	3.8354	-	0.00	-	0.006409097	-
- vacant bldg, excess land,	IU \$	2.4930	-	0.35	-	0.002707844	-
4b Industrial - Large	LT \$	4.5624	-	0.00	-	0.007623874	-
- vacant bldg, excess land	LU \$	2.9655	-	0.35	-	0.003221087	-
Total	\$ 11,102,151		\$ 26,929,377		\$ 26,929,377		\$ 45,000.00

Approved 2001 Budget \$ 45,000 divided by assessment vacancy adjusted \$ 26,929,377 equals tax rate 0.001671038 at ratio 1.00.

CITY OF HAMILTON

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2001 Tax Rates and Levy - Business Improvement Areas

Table 3 - Ottawa Street

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 13,199,138	2.4256	32,015,829	0.00	\$ 32,015,829	0.004638199	\$ 61,220.23
- vacant bldg, excess land	CU	1.6979	-	0.30	-	0.002272717	-
3c Commercial - Shopping	ST \$	2.4256	-	0.00	-	0.004638199	-
- vacant bldg, excess land	SU \$	1.6979	-	0.30	-	0.002272717	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 125,000	2.4256	303,200	0.00	\$ 303,200	0.004638199	\$ 579.77
4a Industrial - Residual	IT \$	3.8354	-	0.00	-	0.007333999	-
- vacant bldg, excess land,	IU \$	2.4930	-	0.35	-	0.003098614	-
4b Industrial - Large	LT \$	4.5624	-	0.00	-	0.008724081	-
- vacant bldg, excess land	LU \$	2.9655	-	0.35	-	0.003685924	-
Total	\$ 13,324,138		\$ 32,319,029		\$ 32,319,029		\$ 61,800.00

Approved 2001 Budget \$ 61,800 divided by assessment vacancy adjusted \$ 32,319,029 equals tax rate 0.001912186 at ratio 1.00.

Table 4 - International Village

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 10,320,936	2.4256	25,034,462	0.00	\$ 25,034,462	0.006503197	\$ 67,119.08
- vacant bldg, excess land	CU	1.6979	-	0.30	-	0.003186567	-
3c Commercial - Shopping	ST \$	2.4256	-	0.00	-	0.006503197	-
- vacant bldg, excess land	SU \$	1.6979	-	0.30	-	0.003186567	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 443,000	2.4256	1,074,541	0.00	\$ 1,074,541	0.006503197	\$ 2,880.92
4a Industrial - Residual	IT \$	3.8354	-	0.00	-	0.010282966	-
- vacant bldg, excess land,	IU \$	2.4930	-	0.35	-	0.004344553	-
4b Industrial - Large	LT \$	4.5624	-	0.00	-	0.012231995	-
- vacant bldg, excess land	LU \$	2.9655	-	0.35	-	0.005168018	-
Total	\$ 10,763,936		\$ 26,109,003		\$ 26,109,003		\$ 70,000.00

Approved 2001 Budget \$ 70,000 divided by assessment vacancy adjusted \$ 26,109,003 equals tax rate 0.002681068 at ratio 1.00.

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2001 Tax Rates and Levy - Business Improvement Areas

Table 5 - Barton Village

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Vacancy Assessment Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 9,885,094	2.4256	23,977,284	0.00	\$ 23,977,284	0.001581715	\$ 15,635.40
- vacant bldg, excess land	CU	1.6979	-	0.30	-	0.000775040	-
3c Commercial - Shopping	ST \$ -	2.4256	-	0.00	-	0.001581715	-
- vacant bldg, excess land	SU \$ -	1.6979	-	0.30	-	0.000775040	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 123,700	2.4256	300,047	0.00	\$ 300,047	0.001581715	\$ 195.66
4a Industrial - Residual	IT \$ 77,416	3.8354	296,921	0.00	\$ 296,921	0.002501034	\$ 193.62
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	-	0.001056687	-
4b Industrial - Large	LT \$ 1,672,333	4.5624	7,629,785	0.00	\$ 7,629,785	0.002975079	\$ 4,975.32
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	-	0.001256971	-
Total	\$ 11,758,543		\$ 32,204,037		\$ 32,204,037		\$ 21,000.00
Approved 2001 Budget \$ 21,000 divided by assessment vacancy adjusted \$ 32,204,037 equals tax rate 0.000652092 at ratio 1.00.							

* Westinghouse 2/3 assessment reduction as per By-law 98-15

030-233-06050, 030-237-03410, 030-237-09140

	Gross Assessment	Adjustment	Rateable Assessment	Gross Tax	Adj Tax	Net Tax
Residual Commercial	CX \$ 179,100	\$ 119,400	\$ 59,700	\$ 283.29	\$ 188.86	\$ 94.43
-vacant unit, excess land	LU \$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Residual Industrial	IT \$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Residual Industrial	IU \$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Large Industrial	LT \$ 5,017,000	\$ 3,344,667	\$ 1,672,333	\$ 14,925.97	\$ 9,950.65	\$ 4,975.32
	\$ 5,196,100	\$ 3,464,067	\$ 1,732,033	\$ 15,209.26	\$ 10,139.50	\$ 5,069.75

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2001 Tax Rates and Levy - Business Improvement Areas

Table 6 - Downtown

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT/DT \$ 61,715,533	2.4256	149,697,197	0.00	\$ 149,697,197	0.002353839	\$ 145,268.42
- vacant bldg, excess land	CU	1.6979	-	0.30	-	0.001153381	-
3c Commercial - Shopping	ST \$ 159,820	2.4256	387,659	0.00	387,659	0.002353839	\$ 376.19
- vacant bldg, excess land	SU	1.6979	-	0.30	-	0.001153381	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 1,850,333	2.4256	4,488,168	0.00	4,488,168	0.002353839	\$ 4,355.39
4a Industrial - Residual	IT \$ -	3.8354	-	0.00	-	0.003721930	-
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	-	0.001572515	-
4b Industrial - Large	LT \$ -	4.5624	-	0.00	-	0.004427383	-
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	-	0.001870569	-
Total	\$ 63,725,686		\$ 154,573,024		\$ 154,573,024		\$ 150,000.00

Approved 2001 Budget \$ 150,000 divided by assessment vacancy adjusted \$ 154,573,024 equals tax rate 0.000970415 at ratio 1.00.

* Ramada and Howard Johnson's 2/3 assessment reduction as per By-law 92-119

	Gross Assessment	Adjustment	Rateable Assessment	Gross Tax	Adj Tax	Net Tax
Residual Commercial	CT 5,672,020	3,781,347	1,890,673	\$ 13,351.02	\$ 8,900.68	\$ 4,450.34
130 King E	ST 479,460	319,640	159,820	\$ 553.00	\$ 752.38	\$ 376.19
020 152 00010	CU	-	-	\$ -	\$ -	\$ -
	SU	-	-	\$ -	\$ -	\$ -
	6,151,480	4,100,987	2,050,493	\$ 13,904.02	\$ 9,653.06	\$ 4,826.53
Howard Johnson's	CT 3,282,000	2,188,000	1,094,000	\$ 7,725.30	\$ 5,150.20	\$ 2,575.10
112 King E	GT 187,000	124,667	62,333	\$ 440.17	\$ 293.45	\$ 146.72
02015150430						
gt 02015150460	3,469,000	2,312,667	1,156,333	\$ 8,165.47	\$ 5,443.64	\$ 2,721.82

CITY OF HAMILTON

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2001 Tax Rates and Levy - Business Improvement Areas

Table 7 - King Street West

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 3,939,629	2.4256	9,555,964	0.00	\$ 9,555,964	0.001776817	\$ 7,000.00
- vacant bldg, excess land	CU \$ -	1.6979	-	0.30	\$ -	0.000870640	-
3c Commercial - Shopping	ST \$ -	2.4256	-	0.00	\$ -	0.001776817	-
- vacant bldg, excess land	SU \$ -	1.6979	-	0.30	\$ -	0.000870640	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ -	2.4256	-	0.00	\$ -	0.001776817	-
4a Industrial - Residual	IT \$ -	3.8354	-	0.00	\$ -	0.002809533	-
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	\$ -	0.001187028	-
4b Industrial - Large	LT \$ -	4.5624	-	0.00	\$ -	0.003342051	-
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	\$ -	0.001412017	-
Total	\$ 3,939,629		\$ 9,555,964		\$ 9,555,964		\$ 7,000.00

Approved 2001 Budget \$ 7,000 divided by assessment vacancy adjusted \$ 9,555,964 equals tax rate 0.000732527 at ratio 1.00.

Table 8 - Main Street West

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 7,699,481	2.4256	18,675,861	0.00	\$ 18,675,861	0.000376649	\$ 2,900.00
- vacant bldg, excess land	CU \$ -	1.6979	-	0.30	\$ -	0.000184558	-
3c Commercial - Shopping	ST \$ -	2.4256	-	0.00	\$ -	0.000376649	-
- vacant bldg, excess land	SU \$ -	1.6979	-	0.30	\$ -	0.000263654	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ -	2.4256	-	0.00	\$ -	0.000376649	-
4a Industrial - Residual	IT \$ -	3.8354	-	0.00	\$ -	0.000595563	-
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	\$ -	0.000387116	-
4b Industrial - Large	LT \$ -	4.5624	-	0.00	\$ -	0.000708446	-
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	\$ -	0.000460490	-
Total	\$ 7,699,481		\$ 18,675,861		\$ 18,675,861		\$ 2,900.00

Approved 2001 Budget \$ 2,900 divided by assessment vacancy adjusted \$ 18,675,861 equals tax rate 0.000155281 at ratio 1.00.

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[illegible]

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual - vacant bldg, excess land	CT \$ 5,296,635	2.4256	12,847,518	0.00	\$ 12,847,518	0.000000000	\$ -
3c Commercial - Shopping - vacant bldg, excess land	CU \$ ST \$ SU \$	1.6979 2.4256 1.6979	- - -	0.30 0.00 0.30	\$ - \$ - \$ -	0.000000000 0.000000000 0.000000000	\$ - \$ - \$ -
3b Commercial - Parking Lot & Vacant Lan GT & CX	IT \$	2.4256	-	0.00	\$ -	0.000000000	\$ -
4a Industrial - Residual - vacant bldg, excess land,	IU \$	3.8354	-	0.00	\$ -	0.000000000	\$ -
4b Industrial - Large - vacant bldg, excess land	LT \$ LU \$	2.4930 4.5624 2.9655	- - -	0.35 0.00 0.35	\$ - \$ - \$ -	0.000000000 0.000000000 0.000000000	\$ - \$ - \$ -
Total	\$ 5,296,635		\$ 12,847,518		\$ 12,847,518		\$ -

Approved 2001 Budget \$ 15,185 divided by assessment vacancy adjusted \$ 12,847,518 equals tax rate 0.00118194 at ratio 1.00.

BY-LAW NO. 01-157

2001 Tax Rates and Levy - Business Improvement Areas

Table 10 - Dundas

[illegible]

Authority: Item 3, Committee of the Whole
Report 01-021
CM: June 19, 2001

Bill No. 158

THE CITY OF HAMILTON

BY-LAW NO. 01-158

***A BY-LAW TO SET OPTIONAL TAX CLASSES, TAX RATIOS
AND TAX REDUCTIONS FOR THE YEAR 2001***

WHEREAS it is necessary for the Council of the City Of Hamilton, pursuant to the *Municipal Act*, R.S.O 1990, c.M45, as amended by the *Continued Protection for Property Taxpayers Act, 2000*, c.25, to establish tax ratios for 2001 for the City of Hamilton;

AND WHEREAS the tax ratios determine the relative amount of taxation to be borne by each property class;

AND WHEREAS the property classes have been prescribed by the Minister of Finance under the *Assessment Act*, c.A.31 as amended by the *Fair Municipal Finance Act 1997*, c.5 and Regulations thereto;

AND WHEREAS the Council of the City of Hamilton, pursuant to the *Assessment Act*, as amended by the *Continued Protection for Property Taxpayers Act, 2000*, has the right to adopt optional property classes for the year 2001;

AND WHEREAS it is necessary for the Council of the City of Hamilton, pursuant to the *Municipal Act*, as amended, to establish tax reductions for prescribed property subclasses for 2001;

AND WHEREAS the property subclasses for which tax rate reductions are to be established are in accordance with section 8 of the *Assessment Act* as amended by the *Fair Municipal Finance Act 1997 (No. 2)*, c.29;

AND WHEREAS the tax rate reductions, applicable to vacant commercial and industrial properties, reduce the property tax amounts that would otherwise be levied for municipal purposes;

NOW THEREFORE the Council of the City of Hamilton hereby enacts as follows:

1. For the taxation year 2001, the following optional classes as defined in Ontario Regulation 282/98 shall apply in the City of Hamilton:

- a) parking lots and vacant land property class;
- b) large industrial property class;
- c) new multi-residential class.

2. For the taxation year 2001, the tax ratio for property in:

- a) the residential/farm property class is 1.0000;
- b) the multi-residential property class is 2.9990;
- c) the new multi-residential property class is 1.2500;
- d) the residual commercial property class is 2.4256;
- e) the parking lot and vacant land class is 2.4256;
- f) the residual industrial property class is 3.8354;
- g) the large industrial class is 4.5624;
- h) the pipeline property class is 1.4098;
- i) the farmlands property class is 0.2500;
- j) the managed forest property class is 0.2500.

3. The tax rate reduction for:

- a) the vacant units and excess land subclasses in the residual commercial property class is 30%;
- b) the vacant land, vacant units and excess land subclasses in the residual industrial property class is 35%;
- c) the vacant units and excess land subclass in the large industrial property class is 35%;
- d) the first class of farmland awaiting development in the residential/farm, multi-residential, commercial or industrial property classes is 55%;
- e) the second class of farmland awaiting development in the residential/farm, multi-residential, commercial or industrial property classes is 0%;

4. For the purposes of this By-law:

- a) the residual commercial property class includes all properties classified as commercial, as per Ontario Regulation 282/98, excluding properties classified in the class and parking lot and vacant land property class;
- b) the residual industrial property class includes all properties classified as industrial, as per Ontario Regulation 282/98, excluding properties classified in the large industrial property class;
- c) the large industrial property class includes all properties classified as large industrial as per Ontario Regulation 282/98;
- d) the first class of farmland awaiting development and the second class of farmland awaiting development consist of land as defined in accordance with the Ontario Regulation 282/98.

5. This By-law shall come into force and take effect as of January 1, 2001.

PASSED and enacted this 10th day of July, 2001.


MAYOR
CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 01-159

**A BY-LAW TO PHASE IN TAX INCREASES
AND DECREASES FOR THE RESIDENTIAL/FARM PROPERTY
CLASS, FARMLAND PROPERTY CLASS AND
THE MANAGED FOREST PROPERTY CLASS**

WHEREAS pursuant to Subsection 372.2 of the Municipal Act, R.S.O. 1990, c M.45 as amended by the *Continued Protection for Property Taxpayers Act*, c.25 (herein referred to as the "Municipal Act"), the Council of the City of Hamilton may pass a by-law to phase in a tax increase or decrease, as determined in accordance with Section 372.2 of the Act; and

WHEREAS pursuant to Section 372.2(9)(6) of the Municipal Act, the by-law may treat different property classes differently and it may provide for no phase-ins for some classes; and

WHEREAS Council deems it desirable to limit tax increases on properties most adversely affected by the general reassessment and amalgamation within the residential/farms, farmlands and managed forest property classes; and

NOW THEREFORE the Council of the City of Hamilton hereby enacts as follows:

Definitions

1. In this by-law:
2. **"2001 Tax Increase"** means the property tax increases occurring in 2001 determined in accordance with Section 372.2 of the Municipal Act;
3. **"2001 Tax Decrease"** means the property tax decreases occurring in 2001 determined in accordance with Section 372.2 of Municipal Act;
4. **"2000 Adjusted Taxes"** means the property taxes levied for 2000 as adjusted in accordance with Section 372.2(6) of the Municipal Act plus any phase-in balance remaining pursuant to By-law R98-057;
5. **"Eligible Property"** means all properties within the residential/farm, farmland and managed forest property classes located within the City of Hamilton.

6. **"Deferred Tax Increase"** is the "2001 Tax Increase" less any phase-in increase applied to taxes per paragraph 10 of this by-law.
7. **"Deferred Tax Decrease"** means the "2001 Tax Decrease" less any phase-in decrease applied to taxes per paragraph 13 of this by-law.

Implementation

8. This by-law shall apply only to separately assessed parcels of "Eligible Property" listed on the assessment roll for 2001 taxation as returned to the City of Hamilton on or about June 15, 2001.

Phasing-In of Tax Increases

9. A 2001 Tax Increase for all real property in the City of Hamilton which is in the residential/farm property class, the farmlands property class and the managed forest property class shall be phased-in in accordance with paragraph 10 and 11 of this by-law, commencing in taxation year 2001 and ending no later than 2005.
10. The taxes payable in each year on any real property in the residential/farm, farmland and managed forest property classes for which a "2001 Tax Increase" occurs shall be calculated as follows:
 - (1) in 2001, where the 2001 Tax Increase is greater than \$50, taxes payable will be equal to the 2000 Adjusted Taxes plus 25% of the 2001 Tax Increase. Otherwise, such taxes will be equal to the 2000 Adjusted Taxes plus the 2001 Tax Increase.
 - (2) in 2002, where the Deferred Tax Increase is more than \$50, taxes payable will be equal to the previous years' taxes plus 25% of the 2001 Tax Increase. Otherwise, such taxes will be equal to the previous years' taxes plus the Deferred Tax Increase.
 - (3) in 2003, where the Deferred Tax Increase is more than \$50, taxes payable will be equal to the previous years' taxes plus 20% of the 2001 Tax Increase. Otherwise, such taxes will be equal to the previous years' taxes plus the Deferred Tax Increase.
 - (4) in 2004, where the Deferred Tax Increase is more than \$50, taxes payable will be equal to the previous years' taxes plus 15% of the 2001 Tax Increase. Otherwise, such taxes will be equal to the previous years' taxes plus the Deferred Tax Increase.
 - (5) in 2005 taxes payable will be equal to the previous years' taxes plus the Deferred Tax Increase.

11. For taxation years subsequent to 2001, taxes calculated in paragraph 10 will be subject to in-year budgetary adjustments as approved by the Council of the City of Hamilton.

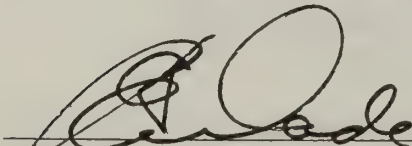
Phasing-In of Tax Decreases

12. A 2001 Tax Decrease for all real property in the City of Hamilton which is in the residential/farm property class, the farmlands property class and the managed forest property class shall be phased-in in accordance with paragraph 13 and 14 of this by-law, commencing in taxation year 2001 and ending no later than 2005.
13. The taxes payable in each year on any real property in the residential/farm, farmland and managed forest property classes for which a 2001 Tax Decrease occurs shall be calculated as follows:
 - (6) in 2001, where the 2001 Tax Decrease is more than \$50, taxes payable will be equal to the 2000 Adjusted Taxes less 20% of the 2001 Tax Decrease. Otherwise, such taxes will be equal to the 2000 Adjusted Taxes less the 2001 Tax Decrease.
 - (7) in 2002, where the Deferred Tax Decrease is more than \$50, taxes payable will be equal to the previous years' taxes less 20% of the 2001 Tax Decrease. Otherwise, such taxes will be equal to the previous years' taxes less the Deferred Tax Decrease.
 - (8) in 2003, where the Deferred Tax Decrease is more than \$50, taxes payable will be equal to the previous years' taxes less 20% of the 2001 Tax Decrease. Otherwise, such taxes will be equal to the previous years' taxes less the Deferred Tax Decrease.
 - (9) in 2004, where the Deferred Tax Decrease is more than \$50, taxes payable will be equal to the previous years' taxes less 20% of the 2001 Tax Decrease. Otherwise, such taxes will be equal to the previous years' taxes less the Deferred Tax Decrease.
 - (10) in 2005 taxes payable will be equal to the previous years' taxes less the Deferred Tax Decrease.
14. For taxation years subsequent to 2001, taxes calculated in section 13 will be subject to in-year budgetary adjustments as approved by the Council of the City of Hamilton.

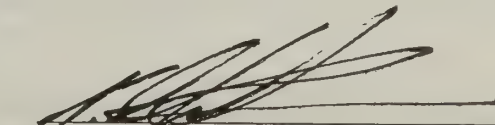
General

15. Despite paragraphs 10 or 13 hereof, if there has been a change in use or character of any real property to which this by-law applies or in its classification under the *Assessment Act* that makes a phase-in or the continuation of a phase-in in respect to such property inappropriate, such property shall be excluded from this By-law.
16. Despite paragraph 10 or 13 hereof, if a new improvement or demolition to any real property to which this by-law applies is reflected in the assessment used to determine the 2001 taxes but was not reflected in the assessment used to determine the 2000 taxes, such property shall be excluded from this By-law.
17. Despite paragraph 10 or 13 hereof, if an improvement or demolition to any real property to which this by-law applies was reflected in the assessment used to determine the 2000 taxes and because of a change related to the improvements, the improvement is not reflected in the assessment used to determine the 2001 taxes, such property shall be excluded from this By-law.
18. Despite paragraph 10 or 13 hereof, in the event of a change in assessment that arises as a result of severing, subdividing or acquiring property, such property shall be excluded from this By-law.
19. If any provision of this By-law is found by a court of competent jurisdiction to be invalid or unenforceable for any reason whatsoever, such invalidity or unenforceability will not affect the validity or enforceability of any or all of the remaining provisions of this By-law which will continue in full force and effect and be construed as if this Agreement had been executed without the invalid or unenforceable provision.
20. This By-law shall be reviewed by Council for the 2003 taxation year.
21. This By-law shall come into force and take effect as at January 1, 2001

PASSED and enacted this 10th day of July, 2001.



Mayor



City Clerk

Authority: Item 8, Finance Committee Report 12-95
CM: December 19, 1995 (FIN 95-141)
Item 8, Finance Committee Report 5-96
CM: May 21, 1996 (FIN 96-044)

Bill No. 160

CITY OF HAMILTON

BY-LAW NO. 01-160

A By-law to authorize the issue of Debentures in the principal amount of \$9,038,725 for the purposes of the Hamilton-Wentworth District School Board

WHEREAS pursuant to subsection 5 (4) of the City of Hamilton Act, 1999 (the "Act") the City of Hamilton (the "City") stands in the place of The Regional Municipality of Hamilton-Wentworth (the "regional municipality") with respect to debentures issued by the regional municipality on which the principal remains unpaid on December 31, 2000;

AND WHEREAS the regional municipality pursuant to By-law No. R96-043 issued sinking fund debentures in the aggregate principal amount of \$68,000,000 which matured on June 6, 2001 and authorized the issue of refunding debentures in the aggregate principal amount of \$41,803,583 of which \$9,147,365 was for the purposes of the Hamilton-Wentworth District School Board (the "Board");

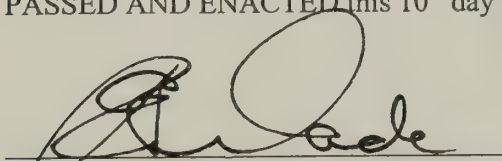
AND WHEREAS for the purposes of the Board it is deemed necessary to issue and sell refunding debentures on the credit of the City in the principal amount of \$9,038,725 maturing in varying instalments of principal over a period of 15 years which is the amount of debt intended to be created by this By-law.

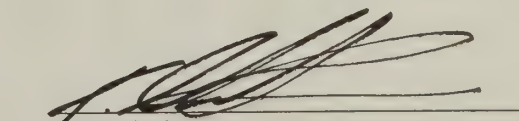
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The borrowing of \$9,038,725 for the purposes of the Board set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated July 19, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it and shall be sealed and signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on July 19 in each of the years 2002 to 2016, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on January 19 and July 19 in each year of the currency of the Debentures commencing January 19, 2002 and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".

4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.
5. (a) There shall be raised in each year of the currency of the Debentures the sums of principal and interest falling due on the Debentures as set out in Schedule "B" and the said sums shall be and the same are hereby imposed as a debt due to the City by the Board. The Board shall on or before each due date in each year of the currency of the Debentures pay out of its general revenue to the City the principal and interest coming due on the Debentures in each such year.
- (b) The Board shall provide in its estimates for each fiscal year for setting aside out of its general revenue in the fiscal year the amount necessary to pay to the City the amount of the principal and interest coming due on the Debentures in the fiscal year.
- (c) To the extent that such amounts are not paid to the City by the Board as aforesaid, there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied than is required after taking into account amounts paid by the Board to the City.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED AND ENACTED this 10th day of July, 2001.


Mayor


City Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BY-LAW NO. 01-160
HAMILTON-WENTWORTH DISTRICT SCHOOL BOARD

PROJECT	(1)	(2)	(3)	(4)	(5)
				R96-042 PERMITTED REFINANCING LIMITS	DEBENTURES TO BE ISSUED
OBJECTS TO BE REFINANCED FROM BYLAW R96-042 EEN MARY ELEMENTARY SCHOOL REPLACEMENT CANNON EAST, HAMILTON		15	JUNE 16/94	6,235,710	6,161,651
LSDALE ELEMENTARY SCHOOL RENOVATION - PHASE II EASTWOOD STREET, HAMILTON		15	MAY 05/94	648,545	640,842
LPARK SECONDARY SCHOOL RENOVATION AND ADDITIONS - PHASE II EAST 16TH STREET, HAMILTON		15	MAY 05/94	1,229,120	1,214,522
LPARK SECONDARY SCHOOL RENOVATION AND ADDITIONS - PHASE III EAST 16TH STREET, HAMILTON		15	MARCH 21/96	1,033,990	1,021,710
TOTAL				9,147,365	9,038,725

CITY OF HAMILTON
SCHEDULE "B" TO BY-LAW NO. 01-160

Year	Interest Rate (%)	Principal (\$) July 19	Interest (\$) January 19	Interest (\$) July 19	Total Annual Payment (\$)
2002	4.65	374,244.61	284,577.76	284,577.76	943,400.13
2003	5.20	398,303.19	275,876.58	275,876.58	950,056.35
2004	5.65	424,016.60	265,520.69	265,520.69	955,057.98
2005	5.85	451,257.53	253,542.22	253,542.22	958,341.97
2006	6.00	480,280.58	240,342.94	240,342.94	960,966.46
2007	6.15	512,067.99	225,934.52	225,934.52	963,937.03
2008	6.25	545,454.65	210,188.43	210,188.43	965,831.51
2009	6.35	580,788.87	193,142.97	193,142.97	967,074.81
2010	6.45	618,627.09	174,702.93	174,702.93	968,032.95
2011	6.50	658,830.20	154,752.20	154,752.20	968,334.60
2012	6.55	701,676.43	133,340.22	133,340.22	668,356.87
2013	6.65	747,165.76	110,360.32	110,360.32	967,886.40
2014	6.70	795,854.65	85,517.06	85,517.06	966,888.77
2015	6.70	847,464.87	58,855.93	58,855.93	965,176.73
2016	6.75	<u>902,691.98</u>	<u>30,465.85</u>	<u>30,465.85</u>	<u>963,623.68</u>
TOTAL		<u>\$9,038,725.00</u>	<u>\$2,697,120.62</u>	<u>\$2,697,120.62</u>	<u>\$14,432,956.24</u>

Deb Bylaw public board

Authority: Item 8, Finance Committee Report 12-95
CM: December 19, 1995 (FIN 95-141)
Item 8, Finance Committee Report 5-96
CM: May 21, 1996 (FIN 96-044)

Bill No. 161

CITY OF HAMILTON

BY-LAW NO. 01-161

A By-law to authorize the issue of Debentures in the principal amount of \$23,396,880 for the purposes of the Hamilton-Wentworth Catholic District School Board.

WHEREAS pursuant to subsection 5 (4) of the City of Hamilton Act, 1999 (the "Act") the City of Hamilton (the "City") stands in the place of The Regional Municipality of Hamilton-Wentworth (the "regional municipality") with respect to debentures issued by the regional municipality on which the principal remains unpaid on December 31, 2000;

AND WHEREAS the regional municipality pursuant to By-law No. R96-043 issued sinking fund debentures in the aggregate principal amount of \$68,000,000 which matured on June 6, 2001 and authorized the issue of refunding debentures in the aggregate principal amount of \$41,803,583 of which \$23,464,375 was for the purposes of the Hamilton-Wentworth District Catholic School Board (the "Board");

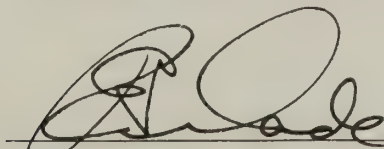
AND WHEREAS for the purposes of the Board it is deemed necessary to issue and sell refunding debentures on the credit of the City in the principal amount of \$23,396,880 maturing in varying instalments of principal over a period of 15 years which is the amount of debt intended to be created by this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The borrowing of \$23,396,880 for the purposes of the Board set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated July 19, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it and shall be sealed and signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on July 19 in each of the years 2002 to 2016, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on January 19 and July 19 in each year of the currency of the Debentures commencing January 19, 2002 and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".

4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.
5. (a) There shall be raised in each year of the currency of the Debentures the sums of principal and interest falling due on the Debentures as set out in Schedule "B" and the said sums shall be and the same are hereby imposed as a debt due to the City by the Board. The Board shall on or before each due date in each year of the currency of the Debentures pay out of its general revenue to the City the principal and interest coming due on the Debentures in each such year.
- (b) The Board shall provide in its estimates for each fiscal year for setting aside out of its general revenue in the fiscal year the amount necessary to pay to the City the amount of the principal and interest coming due on the Debentures in the fiscal year.
- (c) To the extent that such amounts are not paid to the City by the Board as aforesaid, there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied than is required after taking into account amounts paid by the Board to the City.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED AND ENACTED this 10th day of July, 2001.



Mayor



City Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BY-LAW NO. 01-161
HAMILTON-WENTWORTH CATHOLIC DISTRICT SCHOOL BOARD

PROJECT	(1)	(2)	(3)	(4) R96-042	(5)
PROJECT		TERM IN YEARS	AUTHORIZING RESOLUTION	PERMITTED REFINANCING LIMITS	DEBENTURES TO BE ISSUED
PROJECTS TO BE REFINANCED FROM BYLAW R96-042				\$	\$
CONSTRUCTION OF OUR LADY OF MOUNT CARMEL CATHOLIC ELEMENTARY SCHOOL		15	C-92-9-3 (MARCH 3, 1992)	1,432,249	1,428,129
CONSTRUCTION OF ST. MARGARET D'YOUVILLE CATHOLIC ELEMENTARY SCHOOL		15	C-93-3 (MARCH 2, 1993)	1,366,046	1,362,116
SITE PURCHASE ABUTTING ON ST. COLUMBIA CATHOLIC ELEMENTARY SCHOOL		15	C-92-9-3 (NOVEMBER 3, 1992)	94,025	93,754
ADDITION TO ST. ANN'S (ANCASTER) CATHOLIC ELEMENTARY SCHOOL		15	SPB-94-6-3 (NOVEMBER 29, 1994)	819,326	816,969
RENOVATIONS TO BISHOP RYAN CATHOLIC SECONDARY SCHOOL (FORMERLY ELIZABETH BAGSHAW SCHOOL)		15	SPP&B-90-5-2 (NOVEMBER 6, 1990)	1,227,691	1,224,158
REPLACING THE ROOF AND REMOVAL OF ASBESTOS AT BISHOP RYAN CATHOLIC SECONDARY SCHOOL		15	SPP&B-91-2-2 (MAY 7, 1991)	204,341	203,754
CONSTRUCTION OF ST. THOMAS MOORE CATHOLIC SECONDARY SCHOOL		15	SPP&B-90-9-2 (JUNE 19, 1990)	5,454,964	5,439,273
CONSTRUCTION OF ST. MARY'S CATHOLIC SECONDARY SCHOOL		15	C-93-2-6 (FEBRUARY 2, 1993)	3,622,899	3,612,479
PURCHASE OF 8.611 ACRES, FORMERLY KNOWN AS THE H.S.R. PROPERTY FOR THE CATHEDRAL HIGH SCHOOL PROJECT		15	SPC-93-1-4 (FEBRUARY 16, 1993)	4,525,272	4,512,255
CONSTRUCTION OF CATHEDRAL HIGH SCHOOL		15	B-94-3-5 (MARCH 1, 1994)	4,717,562	4,703,993
TOTAL				23,464,375.00	23,396,880

CITY OF HAMILTON
SCHEDULE "B" TO BY-LAW NO. 01-161

Year	Interest Rate (%)	Principal (\$) July 19	Interest (\$) January 19	Interest (\$) July 19	Total Annual Payment (\$)
2002	4.65	968,737.99	736,633.96	736,633.96	2,442,005.91
2003	5.20	1,031,014.00	714,110.80	714,110.80	2,459,235.60
2004	5.65	1,097,573.55	687,304.44	687,304.44	2,472,182.43
2005	5.85	1,168,087.14	656,297.99	656,297.99	2,480,683.12
2006	6.00	1,243,213.76	622,131.43	622,131.43	2,487,476.62
2007	6.15	1,325,495.93	584,835.02	584,835.02	2,495,165.97
2008	6.25	1,411,917.83	544,076.02	544,076.02	2,500,069.87
2009	6.35	1,503,381.02	499,953.59	499,953.59	2,503,288.20
2010	6.45	1,601,325.84	452,221.24	452,221.24	2,505,768.32
2011	6.50	1,705,392.21	400,578.48	400,578.48	2,506,549.17
2012	6.55	1,816,300.32	345,153.24	345,153.24	2,506,608.80
2013	6.65	1,934,050.16	285,669.40	285,669.40	2,505,388.96
2014	6.70	2,060,082.10	221,362.23	221,362.23	2,502,806.56
2015	6.70	2,193,675.96	152,349.48	152,349.48	2,498,374.92
2016	6.75	<u>2,336,632.19</u>	<u>78,861.34</u>	<u>78,861.34</u>	<u>2,494,354.87</u>
TOTAL		<u>\$23,396,880.00</u>	<u>\$6,981,538.66</u>	<u>\$6,981,538.66</u>	<u>\$37,359,957.32</u>

Authority: Item 8, Finance Committee Report 12-95
CM: December 19, 1995 (FIN 95-141)
Item 8, Finance Committee Report 5-96
CM: May 21, 1996 (FIN 96-044)

Bill No. 162

CITY OF HAMILTON

BY-LAW NO. 01-162

A By-law to authorize the issue of Debentures in the principal amount of \$7,539,782 for the purposes of the City of Hamilton herein referred to.

WHEREAS pursuant to subsection 5 (4) of the City of Hamilton Act, 1999 (the "Act") the City of Hamilton (the "City") stands in the place of The Regional Municipality of Hamilton-Wentworth (the "regional municipality") with respect to debentures issued by the regional municipality on which the principal remains unpaid on December 31, 2000;

AND WHEREAS the regional municipality pursuant to By-law No. R96-043 issued sinking fund debentures in the aggregate principal amount of \$68,000,000 which matured on June 6, 2001 and authorized the issue of refunding debentures in the aggregate principal amount of \$41,803,583 of which \$7,757,681 was for the purposes of the City;

AND WHEREAS it is now deemed necessary to issue and sell refunding debentures in aggregate principal amount of \$7,539,782 maturing in varying instalments of principal over a period of 15 years which is the amount of debt intended to be created by this By-law.

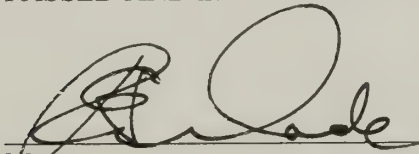
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

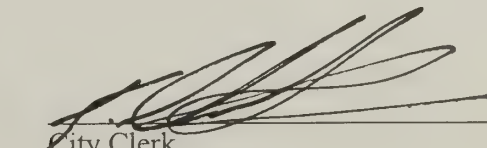
1. The borrowing of \$7,539,782 for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated July 19, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on July 19 in each of the years 2002 to 2016, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on January 19 and July 19 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the

Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged. -

5. For the payment of the principal of and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED AND ENACTED this 10th day of July, 2001.



Mayor

City Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BY-LAW NO . 01-162

TERM: 15 YEARS

(1)	(2)	(3)	(4)	(5)	(6)
PROJECT	TERM IN YEARS	AUTHORIZING RESOLUTION	MUNICIPAL BOARD NUMBER	ONTARIO DATE	DEBENTURE TO BE ISSUE
				R96-041 PERMITTED REFINANCING LIMITS	
PROJECTS TO BE REFINANCED FROM BYLAW R96-041					
PROPERTY DEPARTMENT:					
BARRIER FREE DESIGN ACCESS - City owned Buildings (Infrastructure)	15	94-135/95-209			162,516
MAJOR MAINTENANCE TO CIVIC BUILDINGS	15	94-095/95-034/			130,013
		95-194/95-206/92-228			
MAJOR MAINTENANCE TO CIVIC BUILDINGS	15	95-090/95-216/95-227			287,232
FARMERS' MARKET REPLACEMENT OF ROOF	15	94-095/95-034/			33,943
		95-194/95-206/95-228			
SCOTT PARK ARENA - REPLACEMENT OF ROOF	15	94-095/95-034/			
		95-194/95-206/95-228			43,259
WESTMOUNT & MOUNTAIN ARENA - BOILER REPLACEMENT	15	94-095/95-034/			
		95-194/95-206/95-228			50,032
COPPS COLISEUM - STEAM TO HOT WATER CONVERSION	15	94-195/95-034/			66,632
		95-194/95-206/95-228			
		95-194/95-206/95-228			
MACNAB RECREATION CENTRE - BUILDING ENVELOPE REPAIRS	15	94-095/95-034			65,007
		95-194/95-206/95-228			
BARRIER FREE DESIGN ACCESS - RECREATION BUILDINGS	15	94-095/95-034			65,007
		95-194/95-206/95-228			
CITY HALL ROOF REPLACEMENT	15	95-090/95-216/95-227			103,361
CULTURE & RECREATION DEPARTMENT:					
PARKDALE ARENA	15	94-095/95-034			650,066
		95-194/95-206/95-228			
INCH PARK	15	94-095/95-034			650,066
		95-194/95-206/95-228			
ACQUISITION OF ST. AGNES PARK	15	95-194			132,315
					128,014

\$

CITY OF HAMILTON

SCHEDULE "A" TO BY-LAW NO . 01-162

TERM: 15 YEARS

(1)	(2)	(3)	(4)	(5)	(6)
PROJECT	TERM IN YEARS	AUTHORIZING RESOLUTION	ONTARIO MUNICIPAL BOARD NUMBER	DATE	DEBENTURE TO BE ISSUE
				R96-041 PERMITTED REFINANCING LIMITS	
PROJECTS TO BE REFINANCED FROM BYLAW R96-041					
PUBLIC WORKS & TRAFFIC - Streets & Sanitation Division:					
1994 ROADS & SIDEWALKS RECONSTRUCTION PROGRAM - LOCAL ROAD	15	94-095/95-034		1,709,999	1,654,424
ROADS & SIDEWALKS RECONSTRUCTION PROGRAM - Local Roads - Phas	15	95-194/95-206/95-228			
ROADS & SIDEWALKS RECONSTRUCTION PROGRAM - Local Roads - Phas	15	95-090/95-216/95-227		745,226	721,006
QUEEN STREET STEPS - CONSTRUCTION	15	95-090/95-216/95-227		316,907	306,608
		94-095/95-034		97,510	94,341
ROAD & SIDEWALK RECONSTRUCTION PROGRAM (Infrastructure)	15	95-194/95-206/95-228		325,033	314,470
ADDITIONAL SIDEWALK RECONSTRUCTION PROGRAM (Infrastructure)	15	94-135/95-209		32,503	31,447
		95-18/95-209			
ROAD DEPARTMENT					
REHABILITATION OF THE PARKDALE AVENUE SOUTH BRIDGE	15	94-095/95-034		96,860	93,712
		95-194/95-206/95-228			
PUBLIC WORKS & TRAFFIC - Parks Division					
MOHAWK SPORTS PARK - Floodlights and Bleachers	15	91-210	E910208	28-MAR-91	62,894
SPORTS FACILITIES DEVELOPMENT	15	92-217/92-283	E920603	03-SEP-92	86,479
CONSTRUCT GAGE PARK FACILITIES BUILDING	15	90-268/94-181	E900688	14-JUN-90	18,868
CHEDOKE MOUNTAIN STEPS	15	94-095/95-034		112,786	109,121
		95-194/95-206/95-228			
LIGHTING SAFETY - IMPROVEMENTS	15	94-095/95-034		32,503	31,447
CROWN POINT EAT/MCNAULTY - PHASE I	15	95-194/95-206/95-228			
		94-095/95-034		97,510	94,341
		95-194/95-206/95-228			
IVOR WYNNE ST. ADIUM IMPROVEMENTS (Infrastructure)	15	94-135/95-209		289,604	280,192
HAMILTON PUBLIC LIBRARY					
CENTRAL LIBRARY - FIRST FLOOR RENOVATION	15	92-218	E920489	06-JUL-92	29,875
CONSTRUCTION OF STORM DRAINAGE SYSTEM WITHIN THE WATERSHE	15	4162-95		1,257,020	\$1,250,391.0
KNOWN AS DRAINAGE AREA #9 (WINONA MASTER DRAINAGE PLAN)					
TOTAL				7,757,681	7,539,78

\$

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 01-162

Year	Interest Rate (%)	Principal July 19	Interest (\$) January 19	Interest (\$) July 19	Total Annual Payment (\$)
2002	4.65	312,181.50	237,384.62	237,384.62	786,950.74
2003	5.20	332,250.32	230,126.40	230,126.40	792,503.12
2004	5.65	353,699.52	221,487.89	221,487.89	796,675.30
2005	5.85	376,422.94	211,495.88	211,495.88	799,414.70
2006	6.00	400,632.93	200,485.51	200,485.51	801,603.95
2007	6.15	427,148.85	188,466.52	188,466.52	804,081.89
2008	6.25	454,998.82	175,331.69	175,331.69	805,662.20
2009	6.35	484,473.36	161,112.98	161,112.98	806,699.32
2010	6.45	516,036.66	145,730.95	145,730.95	807,498.56
2011	6.50	549,572.66	129,088.77	129,088.77	807,750.20
2012	6.55	585,313.45	111,227.66	111,227.66	807,768.77
2013	6.65	623,259.02	92,058.64	92,058.64	807,376.30
2014	6.70	663,873.56	71,335.28	71,335.28	806,544.12
2015	6.70	706,924.96	49,095.52	49,095.52	805,116.00
2016	6.75	<u>752,993.45</u>	<u>25,413.53</u>	<u>25,413.53</u>	<u>803,820.51</u>
TOTAL		<u>\$7,539,782.00</u>	<u>\$2,249,841.84</u>	<u>\$2,249,841.84</u>	<u>\$12,039,465.68</u>

Authority: Item 8, Finance Committee Report 12-95
CM: December 19, 1995 (FIN 95-141)
Item 8, Finance Committee Report 5-96
CM: May 21, 1996 (FIN 96-044)

Bill No. 163

CITY OF HAMILTON

BY-LAW NO. 01-163

A By-law to authorize the issue of Debentures in the principal amount of \$1,420,138 for the purposes of the City of Hamilton herein referred to.

WHEREAS pursuant to subsection 5 (4) of the City of Hamilton Act, 1999 (the "Act") the City of Hamilton (the "City") stands in the place of The Regional Municipality of Hamilton-Wentworth (the "regional municipality") with respect to debentures issued by the regional municipality on which the principal remains unpaid on December 31, 2000;

AND WHEREAS the regional municipality pursuant to By-law No. R96-043 issued sinking fund debentures in the aggregate principal amount of \$68,000,000 which matured on June 6, 2001 and authorized the issue of refunding debentures in the aggregate principal amount of \$41,803,583 of which \$1,434,162 was for the purposes of the City;

AND WHEREAS it is now deemed necessary to issue and sell refunding debentures in aggregate principal amount of \$1,420,138 maturing in varying instalments of principal over a period of 5 years which is the amount of debt intended to be created by this By-law.

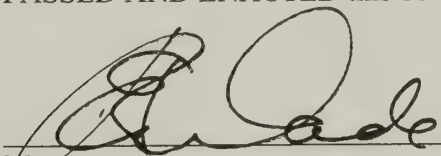
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The borrowing of \$1,420,138 for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated July 19, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it and shall be sealed and signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on July 19 in each of the years 2002 to 2006, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on January 19 and July 19 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the

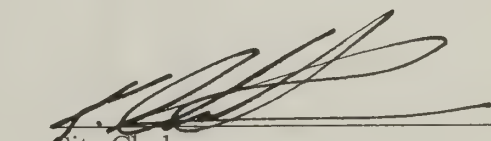
Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.

5. For the payment of the principal of and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED AND ENACTED this 10th day of July, 2001.



Mayor



City Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BY-LAW NO. 01-163
TERM: 5 YEARS

(1)	(2)	(3)	(4)	(5)
PROJECT	TERM IN YEARS	AUTHORIZING RESOLUTION	R96-041 PERMITTED REFINANCING LIMITS	DEBENTURES TO BE ISSUED
			\$	\$
PROJECTS TO BE REFINANCED FROM BYLAW R96-041				
RE-CONSTRUCTION OF WARDROPE AVENUE	5	4107-94	201,644	199,672
ENHANCED 1994 RESURFACING PROGRAM	5	4107-94	339,849	336,526
RE-CONSTRUCTION OF IRENE AVENUE FROM FELKER TO NEIL AVENUE	5	4218-95	87,228	86,375
RE-CONSTRUCTION ON FIRST STREET SOUTH, SECOND STREET SOUTH AND WAKLER AVENUE	5	4218-95	277,543	274,830
ANNUAL ROAD RESURFACING CONTRACT FOR 1995	5	4227-95	131,408	130,123
INSTALLATION OF STREETLIGHTING ALONG BOTH SIDES OF MUD ST FROM PARAMOUNT DRIVE TO HIGHWAY 20	5	4227-95	33,985	33,652
INSTALLATION OF CONCRETE SIDEWALKS ALONG THE SOUTH SIDE OF MUD STREET FROM PARAMOUNT DRIVE TO FIRST ROAD WEST	5	4257-95	33,985	33,652
MCW ENERGY CONVERSION PROGRAM	5	4259-95	328,520	325,308
TOTAL			1,434,162	1,420,138

CITY OF HAMILTON

SCHEDULE "B" TO BY-LAW NO. 01-163

Year	Interest Rate (%)	Principal (\$) July 19	Interest (\$) January 19	Interest (\$) July 19	Total Annual Payment (\$)
2002	4.65	249,743.14	39,134.15	39,134.15	328,011.44
2003	5.20	265,798.05	33,327.62	33,327.62	332,453.29
2004	5.65	282,957.27	26,416.87	26,416.87	335,791.01
2005	5.85	301,135.85	18,423.33	18,423.33	337,982.51
2006	6.00	<u>320,503.69</u>	<u>9,615.11</u>	<u>9,615.11</u>	<u>339,733.91</u>
TOTAL		<u>\$1,420,138.00</u>	<u>\$126,917.08</u>	<u>\$126,917.08</u>	<u>\$1,673,972.16</u>

Deb Bylaw City 5 yr refunding

Authority: Item 11, Committee of the Whole
Report 01-013 (FCS01041)
CM: May 15, 2001
Item 1(e), Committee of the Whole
Report 01-021 (FCS01042b)
CM: June 19, 2001

Bill No. 164

CITY OF HAMILTON

BY-LAW NO. 01-164

A By-law to authorize the issue of Debentures in the principal amount of \$24,999,475 for the purposes of the City of Hamilton herein referred to.

WHEREAS pursuant to subsection 5 (4) of the City of Hamilton Act, 1999 (the "Act") the City of Hamilton (the "City") stands in the place of The Regional Municipality of Hamilton-Wentworth (the "regional municipality") with respect to debentures issued by the regional municipality on which the principal remains unpaid on December 31, 2000;

AND WHEREAS the Council of the City of Hamilton (the "City") has authorized the works described in Schedule "A" attached;

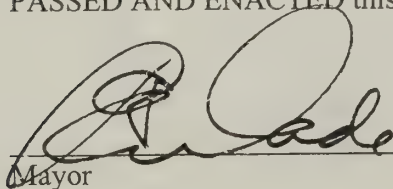
AND WHEREAS it is now deemed necessary to raise money to pay part of the cost of the works by the issue and sale of debentures in the aggregate principal amount of \$24,999,475 maturing in varying instalments of principal over a period of 15 years which is the amount of debt intended to be created by this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The borrowing of \$24,999,475 for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated July 19, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on July 19 in each of the years 2002 to 2016, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on January 19 and July 19 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".

4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.
5. For the payment of the principal of and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED AND ENACTED this 10th day of July, 2001.



Mayor



City Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BY-LAW NO. 01-164

TERM: 15 YEARS

(1)	(2)	(3)	(4)	(5)	(6)	(7)
PROJECT	TERM IN YEARS	AUTHORIZING RESOLUTION	TOTAL AUTHORIZATION LIMITS	DEBENTURES ISSUED TO DATE	OUTSTANDING AUTHORIZATION LIMITS	DEBENTURES TO BE ISSUED
NEW PROJECTS - 2001						
REDHILL CREEK - LINCOLN ALEXANDER EXPRESSWAY	15	Jun 19, 01: 01-020 ITEM 1E (1-9)	72,503,000	19,870,000	52,633,000	24,999,475

CITY OF HAMILTON
SCHEDULE "B" TO BY-LAW NO. 01-164

Year	Interest Rate (%)	Principal (\$) July 19	Interest (\$) January 19	Interest (\$) July 19	Total Annual Payment (\$)
2002	4.65	1,035,092.76	787,090.51	787,090.51	2,609,273.78
2003	5.20	1,101,634.44	763,024.60	763,024.60	2,627,683.64
2004	5.65	1,172,753.06	734,382.11	734,382.11	2,641,517.28
2005	5.85	1,248,096.54	701,251.83	701,251.83	2,650,600.20
2006	6.00	1,328,369.04	664,745.01	664,745.01	2,657,859.06
2007	6.15	1,416,287.23	624,893.94	624,893.94	2,666,075.11
2008	6.25	1,508,628.70	581,343.11	581,343.11	2,671,314.92
2009	6.35	1,606,356.75	534,198.46	534,198.46	2,674,753.67
2010	6.45	1,711,010.41	483,196.63	483,196.63	2,677,403.67
2011	6.50	1,822,204.93	428,016.55	428,016.55	2,678,238.03
2012	6.55	1,940,709.80	368,794.88	368,794.88	2,678,299.56
2013	6.65	2,066,525.06	305,236.64	305,236.64	2,676,998.34
2014	6.70	2,201,189.69	236,524.68	236,524.68	2,574,239.05
2015	6.70	2,343,934.21	162,784.82	162,784.82	2,669,503.85
2016	6.75	<u>2,496,682.38</u>	<u>84,263.03</u>	<u>84,263.03</u>	<u>2,665,208.44</u>
TOTAL		<u>\$24,999,475.00</u>	<u>\$7,459,746.80</u>	<u>\$7,459,746.80</u>	<u>\$39,918,968.60</u>

Deb Bylaw City 15 yr Freeway

Authority: Item 8, Finance Committee Report 12-95
CM: December 19, 1995 (FIN 95-141)
Item 8, Finance Committee Report 5-96
CM: May 21, 1996 (FIN 96-044)
Item 11, Committee of the Whole
Report 01-013 (FCS01041)
CM: May 15, 2001
Item 1(e), Committee of the Whole
Report 01-021 (FCS01042b)
CM: June 19, 2001

Bill No. 165

CITY OF HAMILTON

BY-LAW NO. 01-165

A By-law to authorize the issue of Debentures in the aggregate principal amount of \$66,395,000 for the purposes herein referred to.

WHEREAS the Council of the City of Hamilton (the "City") has passed the following By-laws to authorize the issue of Debentures dated July 19, 2001 and maturing in varying instalments of principal on July 19 in the following respective years, namely:

<u>By-law Number</u>	<u>Principal Amount</u>	<u>Years of Maturity</u>	<u>Purpose</u>
01-160	\$9,038,725	2002 - 2016	Hamilton-Wentworth District School Board - refunding
01-161	\$23,396,880	2002 - 2016	Hamilton-Wentworth Catholic District School Board - refunding
01-162	\$7,539,782	2002 - 2016	City - Various purposes – refunding
01-163	\$1,420,138	2002 - 2006	City - Various purposes – refunding
01-164	\$24,999,475	2002 - 2016	City – Redhill Creek – Lincoln Alexander Expressway

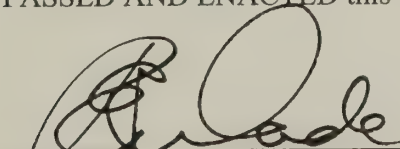
AND WHEREAS no Debentures have been issued under the authority of any of said By-laws;

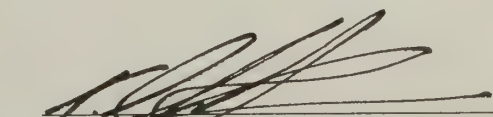
AND WHEREAS instead of borrowing money by the issue and sale of Debentures under said By-laws, it is deemed desirable to provide for the borrowing of money under the authority of this By-law for the purposes referred to in said By-laws by the issue and sale of one series of Debentures in the aggregate principal amount of \$66,395,000, bearing interest at the rates hereinafter set forth and payable in varying instalments of principal on July 19 in the years 2002 to 2016, inclusive, which is the amount of debt intended to be created by this By-law.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The sums authorized to be borrowed by By-laws Nos. ~~01-160 to 01-164~~ ^{01-160 to 01-164} inclusive are hereby consolidated into one sum and for the purposes referred to in said By-laws, money shall be borrowed upon the credit of the City at large by the issue and sale of one series of Debentures of the City in the aggregate principal amount of \$66,395,000 to be issued under the authority of this By-law.
2. The Debentures shall be dated July 19, 2001, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, and shall be sealed and signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on July 19 in each of the years 2002 to 2016, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "A", such interest being payable semi-annually on January 19 and July 19 in each year of the currency of the Debentures commencing January 19, 2002 and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "A".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive, fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.
5. The Treasurer is hereby authorized to complete the sale of the Debentures in accordance with an agreement dated July 6, 2001 with CIBC World Markets Inc. and RBC Dominion Securities Inc., to enter into the letter of representations agreement with CDS and generally do all things and execute all documents as required to complete the issue and sale of the Debentures.
6. Schedule "A" attached is hereby declared to be and to form part of this By-law.

PASSED AND ENACTED this 10th day of July, 2001.


 Mayor


 City Clerk

CITY OF HAMILTON
SCHEDULE "A" TO BY-LAW NO. 01-165

Year	Interest Rate (%)	Principal (\$) July 19	Interest (\$) January 19	Interest (\$) July 19	Total Annual Payment (\$)
2002	4.65	2,940,000	2,084,821.00	2,084,821.00	7,109,642.00
2003	5.20	3,129,000	2,016,466.00	2,016,466.00	7,161,932.00
2004	5.65	3,331,000	1,935,112.00	1,935,112.00	7,201,224.00
2005	5.85	3,545,000	1,841,011.25	1,841,011.25	7,227,022.50
2006	6.00	3,773,000	1,737,320.00	1,737,320.00	7,247,640.00
2007	6.15	3,681,000	1,624,130.00	1,624,130.00	6,929,260.00
2008	6.25	3,921,000	1,510,939.25	1,510,939.25	6,942,878.50
2009	6.35	4,175,000	1,388,408.00	1,388,408.00	6,951,816.00
2010	6.45	4,447,000	1,255,851.75	1,255,851.75	6,958,703.50
2011	6.50	4,736,000	1,112,436.00	1,112,436.00	6,960,872.00
2012	6.55	5,044,000	958,516.00	958,516.00	6,961,032.00
2013	6.65	5,371,000	793,325.00	793,325.00	6,957,650.00
2014	6.70	5,721,000	614,739.25	614,739.25	6,950,478.50
2015	6.70	6,092,000	423,085.75	423,085.75	6,938,171.50
2016	6.75	<u>6,489,000</u>	<u>219,003.75</u>	<u>219,003.75</u>	<u>6,927,007.50</u>
TOTAL		<u>\$66,395,000</u>	<u>\$19,515,165.00</u>	<u>\$19,515,165.00</u>	<u>\$105,425,330.00</u>

THE CITY OF HAMILTON

BY-LAW NO 01-166

TO AMEND BY-LAW 01-084

BEING A BY-LAW TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS
FOR THE CITY OF HAMILTON

WHEREAS Section 15(1) of the Police Services Act R.S.O. 1990, c.P.15, as amended, authorizes the council of any municipality to appoint one or more Municipal Law Enforcement Officers, who shall be peace officers for the purposes of enforcing the by-laws of the municipality;

AND WHEREAS Section 207(45) of the Municipal Act R.S.O. 1990, c.M.45, as amended, authorizes the council of any municipality to appoint certain officers or such officers and employees as may be necessary for the purposes of the corporation, or for carrying into effect any Act or Legislature or by-law of the Council, and for fixing their remuneration and prescribing their duties, and the security to be given for the performance of them;

AND WHEREAS Section 210(46) of the Municipal Act, as amended, provides that local municipalities may pass by-laws to authorize appointed officers to enter property to ascertain whether the by-law is obeyed and to enforce and carry into effect the by-law;

AND WHEREAS the Council of the City of Hamilton, on the 15th day of May, 2001, did pass and enact By-law No. 01-084, being a by-law to appoint Municipal Law Enforcement Officers for the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 01-084;

NOW, THEREFORE, the Council of the City of Hamilton enacts as follows:

1. Than Schedule A of By-law No. 01-084 is hereby amended by adding thereto the following names:

"Norman Wamsley
Mike Palango
Denise Showkenik
George Babcock

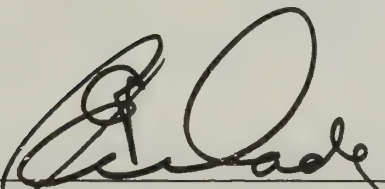
Lou Peters
Janice Stewart
Ken Clarke"

and by deleting therefrom the following names:

"Randy Bonany
William Sherring
Michael Weingartener"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-084, including the Schedule thereto, is hereby confirmed unchanged.
3. This By-law shall come into force and effect on the date of its passing and enactment.

PASSED AND ENACTED this 10th day of July, 2001



Mayor

City Clerk

Authority Council Motion
CM: July 10, 2001

Bill No. 167

City of Hamilton

BY-LAW NO. 01- 167

To Amend:

By-law No. R89-038 (Hamilton-Wentworth), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 21st day of March, 1989, the Council of the Regional Municipality of Hamilton-Wentworth enacted By-law No. R89-038 to regulate traffic on Regional Roads and on highways within 30 metres of any Regional Road;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former regional municipality the Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Regional Municipality of Hamilton-Wentworth continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. R89-038, as amended;

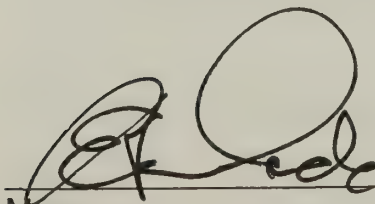
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

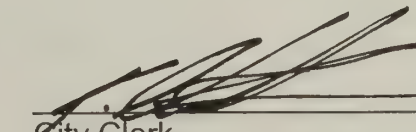
1. That Section 7.3.01 of By-law R89-038, as amended, is hereby further amended by deleting therefrom paragraph "c)" in its entirety and by substituting in its place the following paragraph, namely:

"c) vehicles operated by or on behalf of Elwood Laidman Plumbing & Heating Ltd., O'Neil's Farm Equipment, Harvey Armstrong Feeds Ltd., Glanborough Pumping, Johnston Pumping Service, Anderson Haulage, Armishaw Bobcat Services, Greenhorizons Group of Farms, John Vanderwoude Sod Farms Ltd., John Wynen Water Haulage, Warren Pearce Water Haulage, Wills Motors Limited, Bob Lillie Water Haulage, Bart Chaston Water Haulage, Robert Dawson Transport (Water Haulage), Barlow Farms, R.R. #1, York, Mattice Farms, R.R. #1 York, Misener Farms, Doug Turner Construction, Brian Griffith, Scott Young, Gary Comley, Gord Milmine, Lyle McDougal, Bethune Farms, Shousten Sod Farms, Country Depot, Hannon, DeJong Farming, A.&J. Enterprises, Normalean Farms Ltd., Willard Wad, 2548 Binbrook Road, and A. Linde Sod Farms, while upon Binbrook Road and/or Whitechurch Road between Highway #6 and Regional Road 56."

2. Subject to the amendments made in this By-law, in all other respects, By-law No. R89-038 (Hamilton-Wentworth), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 10th day of July, 2001.



Mayor

City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01-168

**To Amend
Cemeteries By-law No. 8861
Respecting:**

REVISED TARIFF OF CHARGES

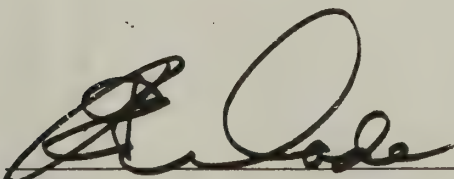
WHEREAS By-law No. 8861, passed on the 12th day of January 1960, in accordance with the Cemeteries Act, established a tariff of charges;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 58 of Report 01-023 of the Committee of the Whole on July 10, 2001 directed that By-law No. 8861, as amended, be further amended to provide for an increase in the tariff of charges for 2001.

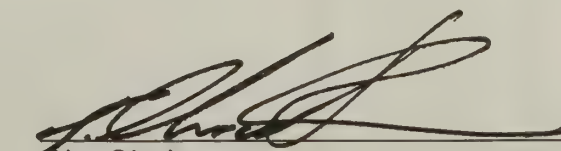
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. (a) By-law No. 8861, as amended by By-laws No. 74-303, 76-187, 76-337, 77-292, 78-276, 79-319, 80-229, 81-219, 83-42, 84-323, 84-268, 86-11, 87-22, 88-40, 88-274, 89-363, 90-16, 90-344, 92-185, 93-019, 93-245, 95-048, 96-005, 96-206 and By-law 98-146 is further amended by deleting Schedule "A-2000" and substituting in lieu thereof Schedule "A-2001", hereto annexed and forming part of this By-law.
- (b) In all other respects, By-law 8861, as amended is hereby confirmed unchanged.
2. The Manager of Cemeteries is hereby authorized and directed to make application to the Minister of Consumer and Commercial Relations, Cemeteries Branch, for approval of this By-law.

PASSED and enacted this 10th day of July, 2001.



Mayor



City Clerk

APPENDIX A

Single Graves									
	Hamilton, Woodland, Eastlawn & Mt. Hamilton			Mount Zion, Grove, Mountview, Glandbrook & Garden Lane			Rural Church, Pioneer, Family, Etc.		
		G.S.T.	TOTAL		G.S.T.	TOTAL		G.S.T.	TOTAL
Adult Single-In-A-Row Grave (Graves cannot be selected or purchased in advance, but are opened in sequence)	\$598.00	\$41.86	\$639.86						
Preferred Single (Where grave may be selected and purchased in advance of need)	\$1,001.00	\$70.07	\$1,071.07	\$770.00	\$53.90	\$823.90	\$570.00	\$39.90	\$609.90
Veteran's Grave	\$569.00	\$39.83	\$608.83						
Child (Single-in-a-Row)									
Stillborn - Case up to 24"	\$77.00	\$5.39	\$82.39						
Child Gr - Case 25" - 60"	\$154.00	\$10.78	\$164.78						
Child Gr - Case 61: - 72"	\$180.00	\$12.60	\$192.60						
Mausoleum	\$1,599.00	\$111.93	\$1,710.93						
* Non-Residents - additional 15% on all property									
Note: Personal Columbariums & Mausoleums are available on an individual basis									
40% of Grave Sales goes into Care & Maintenance 20% of Mausoleum Sales goes into Care & Maintenance									

Two Grave Lots:

[illegible]

Three-Grave Lots	\$3,429.00	\$240.03	\$3,669.03	\$2,675.00	\$187.25	\$2,862.25	\$2,000.00	\$140.00	\$2,140.00
Woodland - Section 14 (3-graves)	\$4,688.00	\$328.16	\$5,016.16						

[illegible]

***Non-Resident - additional 15% on all graves/lots**

40% of Grave Sales goes into Care & Maintenance
20% of Mausoleum Sales goes into Care & Maintenance

Cremation						
	Hamilton, Woodland, Eastlawn & Mt. Hamilton		Mount Zion, Grove, Mountview, Glanbrook & Garden Lane		Rural Church, Pioneer, Family, Etc.	
	G.S.T.	TOTAL	G.S.T.	TOTAL	G.S.T.	TOTAL
<u>Cremation Graves:</u>						
Urn Garden Grave	\$425.00	\$454.75	\$25.97	\$396.97	\$23.10	\$353.10
<u>Columbarium:</u>						
Columbarium - Upper Level	\$1,438.00	\$1,538.66	\$56.00	\$856.00	\$49.00	\$749.00
Columbarium - Lower Level	\$1,048.00	\$1,121.36				
Monument Columbarium	\$1,079.00	\$1,154.53				
<u>Other:</u>						
Cremorial	\$1,053.00	\$1,126.71				
* Non-Resident - additional 15% on lots/graves						
15% * of Columbarium & Cremorial Sales goes into Care and Maintenance						

New City of Hamilton- Tariff of Charges - 2001

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OPENING & CLOSING			
		G.S.T.	TOTAL
<u>Adult Burials:</u>			
6 ft. Adult	\$560.00	\$40.00	\$600.00
8 ft. Adult	\$748.00	\$52.00	\$800.00
Mausoleum	\$412.00	\$28.84	\$440.84
<u>Children Burials:</u>			
6 ft. Child - Case up to 24"	\$80.00	\$5.60	\$85.60
- Case 25" - 42"	\$171.00	\$11.97	\$182.97
- Case 43" - 60"	\$249.00	\$17.43	\$266.43
- Case 61" - 72"	\$324.00	\$22.68	\$346.68
8 ft. Child - Case up to 60"	\$289.00	\$20.23	\$309.23
- Case 61" - 72"	\$437.00	\$30.59	\$467.59
<u>Cremation Interments:</u>			
Urn Garden Graves	\$198.00	\$13.86	\$211.86
Columbarium	\$136.00	\$9.52	\$145.52
Cremorial	\$72.00	\$5.04	\$77.04
<u>Lowering: (Includes Opening, Closing, Lowering & Closing)</u>			
<u>Adult:</u>			
From 6 ft. to 8 ft. - Shell	\$2,506.00	\$175.42	\$2,681.42
From 6 ft. to 8 ft. - Vault or Crypt	\$2,088.00	\$146.14	\$2,234.14
<u>Child:</u>			
From 6 ft. to 8 ft. - Shell	\$1,254.00	\$87.78	\$1,341.78
From 6 ft. to 8 ft. - Vault or Crypt	\$1,044.00	\$73.08	\$1,117.08
<u>Removal:</u>			
<u>Adult:</u>			
Adult - Shell	\$2,237.00	\$156.59	\$2,393.59
Adult - Concrete Vault or Crypt	\$1,827.00	\$127.89	\$1,954.89
<u>Child:</u>			
Child - Shell	\$774.00	\$54.18	\$828.18
Child - Concrete Vault or Crypt	\$632.00	\$44.24	\$676.24
<u>Cremation:</u>			
	\$198.00	\$13.86	\$211.86

ADDITIONAL SERVICES			
		G.S.T.	TOTAL
<u>CRYPTS:</u>			
Youth	\$349.00	\$24.43	\$373.43
Social Services	\$340.00	\$23.80	\$363.80
Intermediate	\$374.00	\$26.18	\$400.18
Oversize	\$397.00	\$27.79	\$424.79
<u>FLOWER BEDS:</u>			
Supply, install & maintain flower bed - (per grave - to a maximum of three graves)	\$132.00	\$9.24	\$141.24
<u>Transfer of Lot Ownership:</u>	\$52.00	\$3.64	\$55.64
<u>Tent:</u>	\$180.00	\$12.60	\$192.60
<u>Family Tree Research:</u> (per name)	\$2.00	\$0.14	\$2.14

ARTICLES			
Bronze Plaque for Cremorial	\$165.00	\$11.55	\$176.55
Bronze Plaque for Columbarium Niche	\$371.00	\$25.97	\$396.97
Companion Vase (plastic) on Niche	\$72.00	\$5.04	\$77.04
Memorial Tree Planting (12" x 10" stone; 6" x 8" Bronze Plaque, 3 Lines*)	\$471.00	\$32.97	\$503.97
Memorial Bench (8"x5" Bronze Plaque, 3 Lines)	\$672.00	\$47.04	\$719.04
Memorial Wreaths	\$54.00	\$3.78	\$57.78
Temporary Marker	\$46.00	\$3.22	\$49.22
Flower Pot Hanger	\$20.00	\$0.25	\$20.25
Installation Fee (plaques and/or vases)	\$77.00	\$5.39	\$82.39
Vases - Individually Priced			

Note: * An extra fee will be added to plaque charge for Special Lettering

FOUNDATIONS & MARKERS			
* Foundation - pouring per square inch of surface area (to be poured to depth of six feet)	\$1.17	\$0.08	\$1.25
* Marker Setting Fee:			
12" x 10" Flat Marker AND			
18" x 14" CHILDS's Flat Marker	\$92.00	\$2.76	\$94.76
Any other size Flat Marker (Maximum Size 24" long by 18" wide) (4" minimum & 8" maximum thickness)	\$140.00	\$9.80	\$149.80
Bronze Vase	\$140.00	\$9.80	149.80
DVA upright or flat marker	\$117.00	\$8.19	\$125.19

City of Hamilton

By-law No. 01-169

Respecting the Control and Licensing of Dogs and Kennels

WHEREAS Council deems it expedient to licence and regulate the keeping on dogs and to impose controls and prohibitions for the purpose of health and safety of the public and their animals;

AND WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C, did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is successor to the following former area municipalities: The Corporation of the Town of Ancaster, The Corporation of the Town of Dundas, The Corporation of the Town of Flamborough, The Corporation of the Township of Glanbrook, The Corporation of the City of Hamilton, and The Corporation of the City of Stoney Creek (hereinafter the said former municipalities may be referred to as the "former area municipalities");

AND WHEREAS the City of Hamilton Act, 1999 provides that the by-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS paragraphs 1 through 13 of section 210 of The Municipal Act, R.S.O. 1990, Chapter M.45 authorize bylaws for regulating or prohibiting the keeping of animals, licensing and registration of dogs, prohibiting and regulating the running of dogs at large, for regulating animal breeding or boarding establishments and for providing pounds and related fees;

AND WHEREAS section 220.1 of The Municipal Act, R.S.O. 1990, Chapter M.45 authorizes bylaws for imposing fees for services provided by or on behalf of the municipality;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

Definitions

1. In this By-law:

(a) "City" means the City of Hamilton, either in the sense of the geographic area of the municipality or the identity of the municipal corporation as the context requires;

- (b) "control" includes immediate custody or restraint;
- (c) "Council" means the council of the City of Hamilton;
- (d) "dog" means any dog, male or female, but does not include a dog employed by police for law enforcement;
- (e) "dog owner" means a person who owns a dog or a person who possesses, keeps, or harbours a dog for any period of time, and where the owner is a minor includes the person responsible for the custody of the minor;
- (f) "guard dog" means a dog that is used to protect non-residential property;
- (g) "highway" means a common and public highway, street, avenue, parkway, driveway, square, place and bridge, designed and intended for or used by the general public for the passage of vehicles;
- (h) "kennel" means an establishment for the breeding or boarding of dogs;
- (i) "leash" means a line for leading or restraining dogs that is no more than 4.6 meters in length;
- (j) "licence" means a certificate issued in receipt for payment of dog licensing or kennel fees, issued by the City, or as the City may authorize, as issued on behalf of the City by its agent or contractor under the terms of agreements for animal licensing services;
- (k) "licensing agent" means the persons appointed by Council to carry out licensing of dogs and dog kennels, whether by employment or under contract, and in the case of the Society means its Chief Executive Officer or his or her delegate for licensing purposes;
- (l) "municipal property" means property owned by the City or its local boards other than a highway or public park;
- (m) "person other than dog owner" and "dog owner" do not include a by-law enforcement officer, or employee of the City, the Society or other contractor of the City providing animal control services while acting in their capacity in respect of this by-law;
- (n) "pound keeper" means the persons appointed by Council to carry out the operation of its pounds, whether by employment or under contract, and in the case of the Society means its Chief Executive officer or his or her delegate for pound keeping;
- (o) "public place" includes a highway, public park and other municipal property;

- (p) "public park" means a park, recreation area, recreation center, play lot, playground, school ground, athletic field, square, or any avenue, boulevard, drive, and building thereon intended for, or used by, the general public;
- (q) "run at large" means a dog found in any place other than the premises of the owner of the dog and not under the control of any person, and for greater certainty includes where a dog has strayed from its permanent or temporary owner or their premises onto a public place or onto private property without the consent of the property owner, and "running at large" has the same meaning;
- (r) "Society" means The Hamilton Society for the Prevention of Cruelty to Animals, Inc.; and
- (s) "vicious dog" means a dog that has made an unprovoked attack or bite that causes physical injury to a person or to an animal under restraint or confined to the owner's property.

Dog Control

- 2. (1) No dog owner shall acquiesce in, allow, permit or cause, their dog to run at large.

(2) Every dog owner shall prevent his or her dog from running at large.
- 3. No dog owner or person other than a dog owner shall allow or permit a dog under their control to bite or attack any person or animal.
- 4. (1) Subject to subsection (3), no dog owner shall allow, permit, acquiesce in or cause the dog to be found upon the following premises:
 - (a) a public park;
 - (b) a highway or other municipal property; or
 - (c) private property other than the property of the dog owner without the prior consent of the owner of the premises.
(2) Subject to subsection (3), no person other than a dog owner who has a dog in their possession or under their control or is otherwise harbouring a dog shall allow, permit, acquiesce in or cause the dog to be found on the following premises:

- (a) a public park;
 - (b) a highway or other municipal property; or
 - (c) private property other than the property of the person, without the prior consent of the property owner.
- (3) The dog owner in (1) or person in (2) is not in contravention of those respective subsections where the dog is in a public park, highway or on other municipal property, if owner or person is holding the dog on a leash or if the dog is confined to a cage or similar enclosure, or where the dog is within the following areas under the supervision and control of the dog owner or a responsible person chosen by the dog owner, so as to prevent the dog from causing harm or injury, and being within the following places:
- (a) Warren Park (former Town of Dundas);
 - (b) Valley Community Centre, north of the gully therein (former Town of Dundas);
 - (c) Sanctuary Park, west of the entrance thereto (former Town of Dundas);
 - (d) Little John Park (former Town of Dundas);
 - (d) Chegwin Park (former Town of Dundas);
 - (e) Olympic Park, behind the arena therein (former Town of Dundas); and
 - (f) Those lands in the former City of Hamilton, operated as a leash free zone under agreement with the Society and the former City, dated July 1, 1999 for so long as the agreement or amending agreement continues without expiry or termination.
- (4) For the purposes of this section, where the dog owner in (1) or person in (2) is a minor, the person responsible for the custody of the minor shall comply with the requirements of this section.
5. Every dog owner shall:
- (a) provide restraints or enclosures sufficient for the purpose of confining the dog to the premises of the dog owner; or,
 - (b) ensure that the dog is sufficiently trained so as to remain on the premises of the dog owner.

6. No guard dog shall be kept or harboured on non-residential property by a dog owner or a person having possession or control of the dog, unless the dog owner or person posts or causes to be posted conspicuous, legible and clearly visible signs at the location where the dog is commonly kept or harboured, sufficient to give notice to persons entering the property that a guard dog is kept or harboured within the property.
7.
 - (1) Subject to (2), notwithstanding any other provision of this by-law, no person shall keep a vicious dog within the City.
 - (2) This section does not apply to the City or its employees, agents or contractors while carrying out duties under this by-law.
 - (3) No person shall transfer the ownership or the possession of a vicious dog to another person without first giving written notice to the City and licensing agent of its relocation, including their name, the dog tag registration number where held, the address of where the dog was taken to and the name and address of the person owning or possession the dog.
8.
 - (1) A by-law enforcement officer may capture and take into custody any dog found running at large.
 - (2) Where the dog has a tag issued under this by-law, or otherwise where the pound keeper knows the dog owner, an attempt shall be made to notify the owner at their last known address or telephone, to advise that the dog has been captured.
 - (3) A dog owner, or in the absence of the owner the person who was in control of the dog preceding its disappearance, shall attend at the pound no later than seventy-two hours after the disappearance of their dog, or where the pound is closed shall attend the next day the pound is open, to claim their dog.
9.
 - (1) A pound keeper will impound every dog delivered to the pound by a by-law enforcement officer, or may accept a dog delivered with the consent of the dog owner.
 - (2) Every dog impounded under subsection (1) shall be detained for not less than three days, not counting the day of capture, unless the owner earlier claims the dog or subsections (4) or (5) applies.
 - (3) Where a dog that is impounded is not claimed within the time provided in subsection (2), the pound keeper may:
 - (a) sell the dog for such price as the pound keeper may consider proper, and deduct the price obtained against fees owing by the owner, and with any positive balance being returned to the owner if known;

- (b) pursuant to the Municipal Act or the Ontario Society for Prevention of Cruelty to Animals Act, R.S.O. 1990, c. O.36, kill the dog in a humane manner and dispose of the dog, with the costs of these steps added to the amounts owing by the dog owner; or
 - (c) detain the dog for such further time as the pound keeper considers necessary or proper and may both claim the fees applicable for impounding and care of the dog under this by-law, and carry out the sale or disposal of the dog as in clause (a) or (b) at a later time.
- (4) Where it is determined in accordance with the Ontario Society for Prevention of Cruelty to Animals Act, R.S.O. 1990, c. O.36 as amended, the Livestock, Poultry and Honey Bee Protection Act, R.S.O. 1990, c. L.24 as amended, or in the opinion of the by-law enforcement officer, police officer or pound keeper, given the condition of the animal that it would be inhumane not to destroy the animal without delay, or as determined necessary for reasons of safety to persons or animals, which reasons include but are not limited to the animal being injured or ill, that there is risk of imminent harm to a person or domestic animal, or that the dog is found running at large in an area where livestock are kept, the dog may be killed and disposed of without offering it for sale or for return to the owner.
- (5) Where a dog is captured or taken into custody and the services of a Veterinary Surgeon are necessary as determined by the pound keeper or other officer, whether or not the dog eventually dies or is killed without return to the owner, the owner shall pay to the pound keeper all fees and charges of the Veterinary Surgeon in addition to all other fees and per diem charges payable under this by-law.
10. Every dog owner and any person other than a dog owner having control of a female dog in heat, shall keep the dog confined in a manner so as to prevent access to the female dog by male dogs running at large.
11. (1) Where a dog is claimed from the pound, the owner or person claiming on behalf of the owner shall provide proof of ownership of the dog sufficient to satisfy the pound keeper of ownership, pay for and obtain any licence required under this by-law where the animal is unlicensed, and pay the pound and veterinary fees prescribed in this by-law.
- (2) Where a dog is taken into custody, and is required to be quarantined, the pound keeper shall follow the directions of the medical officer of health or public health officer as to the time or conditions of holding or releasing the dog to the owner, and the fees as provided in this by-law are chargeable to the owner or to the other person claiming a dog on their behalf for the period of custody of the dog.

12. The owner of a dog is liable to pay the fees for impounding and care of the dog owing as provided in this by-law regardless of whether the dog is claimed from the pound, which fees the pound keeper may claim from the owner if known.
13. No person shall attempt to retrieve a dog from a possession of a by-law enforcement officer, without first identifying themselves for the purposes of determining ownership, and allowing a reasonable opportunity for the officer to confirm ownership through records maintained under this by-law.
14. A decision by a by-law enforcement officer, police officer, pound keeper, or other employee, agent or contractor of the City, made in good faith in the enforcement or administration of this by-law, to capture, take into custody, impound, sell, kill or dispose of a dog, shall not entitle the owner to compensation of any sort from any such person, the City, police board, the Society or contractor, excepting only where the sale of the animal results in an amount in excess of the fees and costs owing under this by-law the balance of the sale proceeds may be refunded to the owner if known by the pound keeper.
15. (1) No dog owner and no person who has possession or control of a dog shall suffer, allow, or permit the dog to defecate on or in the following premises:
 - (a) a public place; or
 - (b) private property other than the premises of such person, without the consent of the owner of the premises.
- (2) The dog owner or person who has possession or control of a dog, where the dog does defecate in a public place or private property referred to in subsection (1) shall immediately and without delay, remove the excrement and provide for its sanitary disposition, subject to obtaining any approval required to enter the private property.
- (3) No dog owner and no person who has control of a dog shall suffer, allow or permit the dog to cause damage to public property, or to cause damage to private property without consent of the owner.
16. (1) In addition to any other remedy or action that may be taken, where an by-law enforcement officer reasonably believes that a dog has bitten a person or a domestic animal, the licensing agent may cause to be served a notice upon the owner or other person in possession or control of the dog, requiring the dog to be muzzled or held by leash except when the dog is on the premises of the owner.

- (2) The notice in subsection (1) may be served on the owner or other person in the same manner as the notice of hearing may be served under subsection (5).
- (3) Upon the service of the notice under subsection (1), the owner or person in possession or control of the dog shall comply with the terms by placing and maintaining a muzzle on the dog, or a leash, or both as specified, except when the dog is on the premises of the owner or the person in possession or control who was served with the notice.
- (4) The notice in subsection (1) shall include mention of the right of the owner or person to appeal, within fifteen (15) days of the date of the notice, by requesting a hearing before the licensing agent, including the grounds the person is relying upon for varying or rescinding the terms of the notice.
- (5) Where the owner or other person on whom an notice is issued under subsection (1) makes a request for a hearing in accordance with (4), the licensing agent shall provide prior notice of the hearing to the owner or other person, to the person alleged to have been bitten by the dog or the person whose domestic animal was alleged to have been bitten, and to the by-law enforcement officer, which notice of hearing shall be served upon the owner or other person and alleged victim by:
 - (a) personal service, or
 - (b) where the notice of hearing cannot be given or served by reason of the owners or other persons absence from his or her premises or by reason of his or her evading service, the notice of hearing may be given or served by handing it to an apparently adult person on the owners or other persons premises, or posting it up in a conspicuous place upon some part of their premises, or sending it by prepaid registered mail to the owner or other person at the address where he or she resides and it shall be deemed to have been received by the person to whom it was addressed on the seventh day after the day of mailing.
- (6) The notice of hearing in (5) shall be served a reasonable time before the hearing, and shall include,
 - (a) a brief statement of the facts which led the by-law enforcement officer to believe that the dog had bitten a person or a domestic animal;

- (b) the date, time and place at which the licensing agent will hold a hearing, for the purpose of determining whether the dog has bitten a person or a domestic animal or whether or not the owner or other person should be exempted from the muzzling or leash requirements as authorized under this by-law and the Municipal Act, R.S.O. 1990 c. M. 45, section 210 paragraph 10 as amended, which may be given by reference to or by copy of this section of the by-law; and
 - (c) a statement that if the owner or person served with an notice under subsection (1) does not attend the hearing at the date time and place for the hearing, the licensing agent may proceed with the hearing in their absence, and they will not be entitled to any further notice in the proceeding.
- (7) The parties to the hearing shall be the City, as represented by the licensing agent or in the case of a contractor acting as licensing agent, his, her or its delegate, and the person to whom the notice under subsection (1) was issued.
 - (8) The owner or person appealing the notice under subsection (1) may, if he or she wishes, be represented by counsel or an agent at the hearing and shall have the right to adduce evidence and to submit argument to show that the dog has not bitten a person or a domestic animal or to exempt the dog from the muzzling requirement, or both, and to cross-examine any witness adverse in interest to the owner, and in the event that the owner's dog is not exempted from the muzzling requirement, the licensing agent or delegate appointed under subsection (7) shall, at the request of the owner, deliver written reasons for his or her decision.
 - (9) At the hearing, the licensing agent or delegate appointed under subsection (7), in accordance with the Statutory Powers Procedure Act, R.S.O. 1990, c. S.22, as applicable to the hearing, shall consider the submissions and evidence presented, make rulings or decide on the process of the hearing, and shall at the conclusion of the hearing decide whether the terms of the notice should be rescinded or upheld, or modified so as to include either leashing or muzzling of the dog or both, except when on the premises of the owner.
 - (10) Where the owner or person in possession of the dog is not present at the hearing, the decision made under subsection (9) may be served on such persons in the same manner as the notice of hearing may be served under subsection (5).

- (11) It is a deemed provision of each notice under subsection (1) or as varied or upheld be decision under subsection (9), and every person served with such a notice or decision who keeps a dog which requires muzzling or leashing under this section shall, immediately notify the licensing agent of the dogs new residence after he or she has transferred the ownership of the dog to any other person or has begun keeping the dog at a new location.
- (12) Where an notice has been issued under subsection (1) and fifteen (15) days has elapsed since the date of the order, or where a notice is confirmed or varied under subsection (9) to require leashing or muzzling of a dog, no dog owner or other person subject to the order shall take, permit, allow or acquiesce in the dog being off the premises of that person, without the required leash or muzzle, nor shall such person fail to inform any other person taking the dog off their premises with their permission that the dog must be leashed or muzzled until returned, and no such person so advised shall fail to maintain the required leash or muzzle until the dog is returned.

Licensing of Dogs

- 17. (1) Subject to (6), every dog owner, except an owner or operator of a kennel in respect of the dogs boarded in the kennel, shall obtain and maintain in good standing a City licence for each dog owned and shall affix and maintain the dog tag provided upon licensing, on the dog for which it was obtained.
- (2) No licence is valid under this by-law unless the applicable fees have been paid in full.
- (3) A dog licence paid for and issued under this by-law shall expire on the date recorded by the licensing agent, which date is also shown on the certificate of licensing issued to the licence holder, and which date will be either one or two years from the date of issuance, depending upon the term of the licence issued and the proper fee having been paid for such term and licence.
- (4) An applicant for a dog licence, shall submit a completed and signed application on the form provided by the licensing agent along with the required fee, including the following details:
 - (a) the name, address and telephone number of the dog owner;
 - (b) name, colour, breed and sex of the dog;
 - (c) address where the dog is to be situated in the municipality;
 - (d) the most recent date of rabies vaccination;

(e) microchip identification, if applicable; and

(f) such information as may be required by the licensing agent satisfactory to confirm the condition of the animal or the age of the applicant.

(5) Upon payment of the fees and receipt of a completed application, the licensing agent shall process the application, and provide the tag and certificate of licensing including the expiry date to the applicant.

(6) Notwithstanding the requirements in this section:

(a) No licence is required for puppies that have not been weaned and which are under the age of twelve (12) weeks;

(b) The owner of a kennel of dogs that are registered or eligible for registration with an association incorporated under the Animal Pedigree Act (Canada), R. S. C. 1985, c. 8, shall pay the annual fee fixed in this by-law as a licence fee for a kennel instead of a licence fee for each dog in respect of the dogs so registered or eligible for registration and for which the owner provides satisfactory proof of their registration or eligibility; and

(c) A dog owner who has moved to the City within the last thirty (30) days with a dog for which a current unexpired licence is held in the previous municipality of residence, may pay the reduced fee prescribed in this by-law upon application which includes satisfactory proof of the non-City licensing.

18. (1) Subject to this section, the dog owner or other applicant for a licence shall pay the licence fee to the licensing agent at the time the licence is applied for, in the amount of the applicable fee specified in Schedule "A", which Schedule is attached to and forms a part of this by-law.

(2) The applicant for a dog licence may, where both options are offered by the licensing agent, apply for either a one or two year licence for a dog, and when applying for a two year licence shall pay the annual fees calculated in accordance with Schedule "A", less the discount provided in this by-law.

(3) In the event an owner fails to obtain a valid licence for a dog prior to the expiry of a current licence, an additional late payment fee as provided in Schedule "A" shall be paid at the time of application for the new licence in addition to the prescribed licensing fee.

19. Notwithstanding any other provision of this by-law, no fee shall be paid for a licence and a dog tag,

- (a) where a certificate is produced from the Canadian National Institute for the Blind, stating that a dog is a guide dog;
 - (b) where a certificate from a recognized training establishment is produced, stating that a dog is being used as a hearing dog; or
 - (c) where a dog is a police work dog.
20. A dog owner to whom a licence is issued and paid for in respect of a dog, will be provided with a registration number for the dog and a dog tag, and shall securely affix the tag to the dog for which the application was made.
21. A dog tag shall be a metallic plate having raised, cast or stamped thereon a unique registration number.
22. (1) Every licence is personal to the holder thereof and issued in respect of the particular dog applied for, and no person shall transfer or purport to transfer a licence, certificate of licensing or dog tag from the dog for which it was obtained to another dog.
- (2) No person shall affix to, or use a dog tag for any dog for which the licence was not issued.
23. (1) Where a dog tag has been lost, the dog owner shall apply to the licensing agent for a replacement dog tag.
- (2) Except where the exemption of fees in section 19 applies, the application shall be accompanied by,
- (a) proof that the current year's licence fee has been paid; and
 - (b) payment of a replacement tag fee to the licensing agent.
- (3) Upon receipt of the application and fee if required, the licensing agent may provide a replacement tag.

Dog Kennels

24. (1) Subject to compliance with this by-law, every person who owns or operates a kennel shall obtain a kennel licence no later than January 31st in each year.
- (2) No person shall own or operate a kennel without a current and valid licence under this by-law to do so.
- (3) The kennel owner or operator shall submit a separate licence application and fee for each kennel.

- (4) Every applicant for a kennel licence shall pay the licence fee prescribed in Schedule "A" for each licence at the time of application, along with a completed and signed application form as provided to them by the licensing agent.
 - (5) Every kennel licence shall expire on December 31st in the year for which it is issued.
 - (6) Every kennel licence is personal holder thereof, and no person shall transfer or purport to transfer a kennel licence to another person or kennel.
25. (1) Every person who owns or operates a kennel shall comply with the following regulations, which are conditions of obtaining or renewing of the kennel licence, and of engaging in or carrying on the business of a kennel:
- (a) The kennel building shall have a floor made of concrete or other impermeable material.
 - (b) The floor of the kennel building shall have a drain opening constructed as a plumbing fixture maintained in functioning condition at all times.
 - (c) The kennel floor shall be thoroughly cleaned at least once every day, or more often as may be necessary to keep the floor clean.
 - (d) The kennel and surrounding area shall be maintained in a sanitary, ventilated and clean condition, free from offensive odours.
 - (e) Dogs shall be kept in sanitary, well-bedded, well ventilated, lighted and clean quarters which are kept at healthful temperatures, at all times.
 - (f) Dogs shall be adequately fed and watered periodically each day and kept in a clean and healthy condition, free from vermin and disease.
 - (g) Exercise areas shall be provided so as to enable each dog to exercise freely and easily so as to maintain physical health and well being.
 - (h) A security fence of adequate height, type and construction shall encircle the perimeter of the area used by the kennel so as to prevent dogs from escaping from the premises.
 - (i) Each cage or pen used for the housing of dogs shall be so constructed and maintained so that:
 - (i) It is of a size to allow every dog in the cage or pen to comfortably extend its legs to their full extent, and to stand, sit, turn around and lie down in a fully extended position;

- (ii) It is kept in a condition not likely to harm any dog therein;
- (iii) It is kept in a condition such that there is no ready means of escape by the dog being housed; and
- (iv) It may be readily cleaned.

(j) The yards and runways used by the kennel shall be cleaned at least once daily when in use.

(k) Dead animals, excreta, or waste of any sort resulting from the keeping of dogs shall be removed from the premises as necessary or in furtherance to the above requirements, disposed of in accordance with applicable laws and by-laws.

(2) Every person who owns or operates a kennel shall comply with the other by-laws applicable in the City to such an operation, business or land use, which requirement is a condition of licensing or the holding of a licence under this by-law.

26. It is a condition of every kennel licence that the licensee, and every person who operate or owns a kennel or who has applied for a kennel licence, that they shall permit a by-law enforcement officer to enter and inspect the kennel at all reasonable times, upon production of proper identification, for the purpose of determining compliance with this by-law.

Administration and Enforcement

27. (1) This by-law may be administered by the City, its designated employees, and such contractors as may be retained to provide animal control, licensing and pound keeping services on behalf of the City.
- (2) For matters requiring a hearing into the denial, revocation, suspension or the adding of conditions to a kennel licence, the parties to such a hearing shall be the City as represented by its licensing agent and the kennel owner or operator, and a hearings committee as appointed by Council shall conduct the hearing.
- (3) Where Council appoints no such committee for the hearings into kennel or business licensing in (2), the Hearings Committee established under the Procedural By-law of the City shall conduct the hearing.

- (4) The process for denying, revoking, suspending or adding conditions to a kennel licence shall be as provided in the general business licensing by-law of the City, and where such a by-law has not been enacted on the date of notice of hearing, shall be as provided in the former City of Hamilton Licensing Code, 1998, being By-law 98-203 of the former municipality as it existed on December 31, 2000, or if subsequently amended by Council, as amended.
 - (5) For the purposes of this section, where the licensing agent for kennel licensing is the Society, the person representing the licensing agent at the hearing shall be the Chief Executive Officer of the Society or his or her delegate, and where the licensing agent is another contractor, shall be the contractor or its delegated official for hearings unless the City itself intervenes.
28. (1) This by-law may be enforced by police officers in accordance with the Police Services Act, R.S.O. 1990, c. P.15, provincial offences officers appointed under the Ontario Society for the Prevention of Cruelty to Animals Act, R.S.O. 1990, c. O.36, acting on behalf of the Society under its contract with the City, and municipal by-law enforcement officers appointed by the City.
- (2) The City hereby appoints its employees who are by-law enforcement officers, and those employees of its agents or contractors supplying animal control services to the City, for the purposes of subsection (1) as municipal by-law enforcement officers.
29. Every person who contravenes any provision of this by-law is guilty of an offence and upon conviction is liable to the penalties specified in Section 61 of the Provincial Offences Act, R.S.O. 1990, Chapter P.33, as amended.

Enactment, Amendments, Repeals and Transition

30. (1) The following By-laws or clauses and sections of By-laws as listed, of the Former Area Municipalities as listed, all as amended, are hereby repealed:
- (a) By-law No. 92-22 (Ancaster);
 - (b) By-law 88-139 (Ancaster);
 - (c) By-law 3676-87 (Dundas);
 - (d) By-law 3771-88 (Dundas);

(e) Clause 1(h), and sections 12 and 13 of By-law No. 3612-86 (Dundas);
and

(f) By-law 85-148 (Hamilton).

(2) The following By-laws of the Former Area Municipalities all as amended,
are hereby further amended as follows:

(a) By-laws No. 93-56-L (Flamborough), No. 575-99 (Glanbrook), No. 4319-95 (Stoney Creek), and No. 4320-95 (Stoney Creek) are each amended by the addition of the following recitals, after the first recital on page one of the respective by-laws:

“AND WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C, did incorporate, as of January 1st, 2001, the municipality “City of Hamilton”;

AND WHEREAS the City of Hamilton is successor to the following former area municipalities: The Corporation of the Town of Ancaster, The Corporation of the Town of Dundas, The Corporation of the Town of Flamborough, The Corporation of the Township of Glanbrook, The Corporation of the City of Hamilton, and The Corporation of the City of Stoney Creek;

AND WHEREAS the City of Hamilton Act, 1999 provides that the by-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

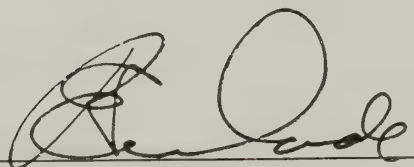
AND WHEREAS Council of the City of Hamilton deems it expedient to provide for the control and licensing of dogs and dog kennels by other enactment, and therefor intends to hereby amend By-laws of the former area municipalities, being By-law No. 93-56-L (Flamborough), No. 575-99 (Glanbrook), No. 4319-95 (Stoney Creek), and No. 4320-95 (Stoney Creek), to provide that they no longer apply to dogs or dog kennels excepting only where there are limits imposed on the number of dogs that may be kept in or on premises, or the size or location of dog kennels:”;

(b) By-laws No. 93-56-L (Flamborough), No. 575-99 (Glanbrook), No. 4319-95 (Stoney Creek), and No. 4320-95 (Stoney Creek), all as amended, are each further amended by the addition of section 1a, immediately after section 1 of the respective by-laws:

"1a. Notwithstanding any other provision of this by-law, this by-law shall be deemed not to apply to dogs or dog kennels, except where it may limit the number of dogs that may be kept by any person or as may be kept in or on any premises, or where it limits where dog kennels may be located or the size of dog kennels or properties where they may be located, which limits continue in force without change."

31. The fees established in Schedule "A" repeal and replace the fees established by the former area municipalities in respect of dog licensing, dog kennel licensing fees, and related dog tag or late dog licensing fees, and the fees applicable to the impounding of dogs.
32. Subject to the amendments made in this By-law, in all other respects the by-laws of the Former Area Municipalities, being By-laws No. 3612-86 (Dundas), No. 93-56-L (Flamborough), No. 575-99 (Glanbrook), No. 4319-95 (Stoney Creek), and No. 4320-95 (Stoney Creek), and any such by-law amended by section 31 of this by-law, all as amended, are hereby confirmed.
33. For the purposes of this By-law, the owner of a dog who has paid for a licence for the dog under a by-law of a Former Area Municipality for part or the whole of the year 2001, which licence has not expired, shall not be required to obtain a licence for the dog under this by-law for the year 2001 where the licence was issued for the full year, or until such licence expires where the licence expires before the end of the year.
34. This by-law comes into force on the date of enactment.

PASSED and enacted this 10th day of July, 2001.



Mayor



City Clerk

Schedule "A"

Fees and Charges Applicable to Dogs and Dog Kennels

Dog Licensing Fees

- 1.(1) Subject to subsection (2), a dog owner shall pay the following annual fees for the issuance of a dog licence for a term of one year, in respect of the following animals:
 - (a) Each spayed or neutered dog, \$26.00
 - (b) Each dog less than six months in age, for the first year only, \$26.00
 - (c) Each dog not spayed or neutered, six months or older, \$61.00
- (2) Where a dog licence is issued for a one year term to a dog owner who is aged 65 years or over, the owner shall pay the following annual fees upon issuance of a licence, in respect of the following animals:
 - (a) Each spayed or neutered dog, \$13.00
 - (b) Each dog less than six months in age, for the first year only, \$13.00
 - (c) Each dog not spayed or neutered, six months or older, \$30.50
- (3) Where clause 17(6)(c) of this by-law applies the licensing fee is \$10.00 and not as provided in subsection (1) or (2) of this schedule.
- (4) The additional late renewal fee applicable under subsection 18(3) of this by-law is \$15.00.
- (5) The replacement tag fee under section 23 of this by-law is \$10.00.
- (6) Where the licensing agent offers a two year licensing option, the discount applicable to the fees in subsections (1) and (2) above is \$2.00.

Kennel Licensing Fee

2. The owner or operator of a dog kennel shall pay an annual fee for each kennel: \$100.00

Dog Impound Fees

- 3.(1) The pound fees applicable to the care and control of a vicious dog are \$185.00 plus a daily charge of \$25.00 per day or portion thereof for the period that the dog is in custody.

- (2) For a dog other than a vicious dog, the following fees and charges are applicable:
- (a) A dog impounded for the second or subsequent time in a twelve (12) month period, in addition to licensing fees due for an unlicensed dog, a pound fee of \$105.00 plus a daily charge of \$15.00 per day or portion thereof for the period that the dog is in custody;
 - (b) A dog being impounded for the first time in the twelve (12) months prior to the date of capture and for which the dog owner does not have a current City licence, a pound fee of \$45.00 plus a daily charge of \$15.00 per day or portion thereof for the period that the dog is in custody, in addition to the applicable licensing fees; or
 - (c) A dog for which the dog owner holds a current City licence and being impounded for the first in the twelve (12) months prior to capture, a pound fee of \$15.00 plus a daily charge of \$15.00 per day or portion thereof for the period that the dog is in custody.

City of Hamilton

BY-LAW NO. 01-170

To Amend:

By-law 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law No. 89-72, as amended, is hereby further amended by adding to Schedule 10 thereof (Stops at Intersections) the following items, namely:

"Jacqueline Boulevard

Northbound

Kettlepoint Drive

Kettlepoint Drive

Westbound

Piano Drive

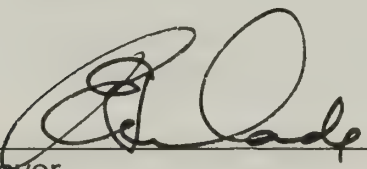
Piano Drive

Southbound

Meadowpoint Drive”

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, are hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 10th day of July, 2001.



Mayor

City Clerk

Bill No. 171

City of Hamilton

BY-LAW NO. 01-171

To Amend:

By-law 76-46 (Ancaster), as amended,
and By-law 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of June, 1976, the Council of the Corporation of the Town of Ancaster enacted By-law No. 76-46 to provide for the regulation of traffic on highways within the jurisdiction of the Corporation of the Town of Ancaster;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality of the Corporation of the Town of Ancaster and the former area municipality the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the Town of Ancaster and the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 76-46, as amended and By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law No. 76-46, as amended, is hereby further amended by adding to Schedule "D" thereof (Stop Streets), and under Columns 1 and 2, the following item, namely:

"Mill Street
and Hendry Lane

On Mill Street

Hendry Lane"

2. That By-law No. 89-72, as amended, is hereby further amended by adding to Schedule 10 thereof (Stops at Intersections) the following item, namely:

"Sulmona

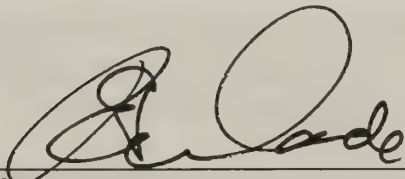
Southbound

Terni"

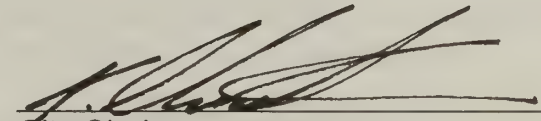
3. Subject to the amendments made in this By-law, in all other respects, By-laws No. 76-46 (Ancaster) and No. 89-72 (Hamilton), each including all Schedules thereto, as amended, are hereby confirmed unchanged.

4. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 10th day of July, 2001.



Mayor



City Clerk

City of Hamilton

BY-LAW NO. 01-172

To Amend:

By-law No. R89-038 (Hamilton-Wentworth), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 21st day of March, 1989, the Council of The Regional Municipality of Hamilton-Wentworth enacted By-law No. R89-038 to regulate traffic on Regional Roads and on highways within 30 metres of any Regional Road;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former regional municipality the Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Regional Municipality of Hamilton-Wentworth, continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. R89-038, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule 2 (Maximum Speed Limits on Certain Regional Roads) of By-law No. R89-038, as amended, is hereby further amended by adding to Section "A" thereof (Hamilton) the following items, namely:-

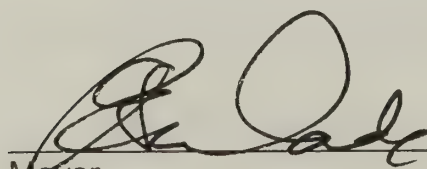
"Lincoln Alexander Parkway	610 m east of Upper Ottawa	Winterberry	80
Lincoln Alexander Parkway	Mohawk Rd./ Highway 403	610 m east of Upper Ottawa	90"

and by deleting therefrom the following items, namely:-

"Lincoln Alexander Parkway	1840 metres east of Upper Ottawa	Winterberry	80
Lincoln Alexander Parkway	City of Hamilton Westerly	1840 m east of Upper Ottawa	90
Lincoln Alexander Parkway	City of Hamilton westerly limit,	Dartnall Road	90"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. R89-038 (Hamilton-Wentworth), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 10th day of July, 2001.



Mayor



City Clerk

City of Hamilton

BY-LAW NO. 01-173

To repeal:

By-law No. 4999-99 (Stoney Creek), as amended

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 6 LAKE AVENUE
(former City of Stoney Creek)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

WHEREAS the Council of the Corporation of the former City of Stoney Creek, on September 14, 1999 enacted By-law No. 4999-99 to authorize the signing of an agreement with William James McFadyen to redevelop his lands at 6 Lake Avenue to provide for a café, and

WHEREAS the Owner has advised the former City of Stoney Creek that he no longer wishes to pursue the redevelopment of the said property, and

WHEREAS due to the circumstances, it is the opinion that By-law No. 4999-99 and the corresponding agreement should be repealed, and

NOW, THEREFORE, THE CITY OF HAMILTON ENACTS AS FOLLOWS,

1. That By-law No. 4999-99 and the corresponding agreement passed on September 14, 1999 are hereby repealed.

2. That the City Clerk be directed to notify William James McFadyen of the passage of this By-law.

PASSED and enacted this 10th day of July, 2001.



Mayor

City Clerk

William James McFadyen, (owner)
SP-2168

Authority: Item 11, Committee of the Whole
Report 01-023 (PD01132)
CM: July 10, 2001

Bill No. 174

City of Hamilton

BY-LAW No. 01-174

Respecting:
REMOVAL OF PART LOT CONTROL FOR LANDS WITHIN
"MEADOWBROOK MANORS – PHASE 2"
REGISTERED PLAN OF SUBDIVISION 62M-881

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

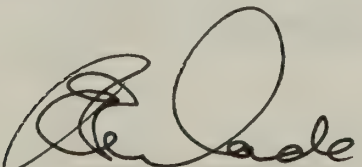
AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the City of Hamilton pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

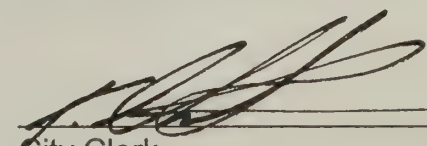
1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating 3 lots (lot 1 being parts 10 to 13 inclusive, lot 2 being parts 6 to 9 inclusive and lot 3 being parts 1 to 5 inclusive) in accordance with Reference Plan 62R-15886, of which Parts 1 to 13, inclusive, are to be developed as three vertically separated freehold units in a multiplex dwelling and associated maintenance easements and rights of encroachments, shall not apply to the following lands:

Lot 80, Registered Plan Number 62M-881, in the City of Hamilton.
2. This by-law shall come into force and effect on the date of its approval by the Director, Development Division, Planning and Development Department.
3. Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
4. This By-law shall expire on July 10th, 2002.

PASSED and enacted this 10th day of July 2001.



Mayor



City Clerk

Authority Item 5, Hearings Sub-Committee
Report 01-019 (PD01066a)
CM: July 10, 2001

Bill No. 175

THE CITY OF HAMILTON

BY-LAW NO 01-175

TO ADOPT

OFFICIAL PLAN AMENDMENT NO. 172

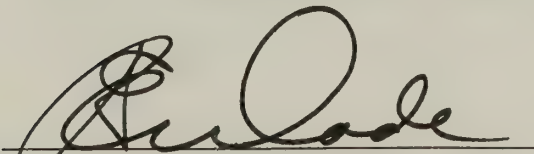
RESPECTING

DOWNTOWN HAMILTON

The Council of the City of Hamilton enacts as follows:

1. Amendment No. 172 to the Official Plan of the City of Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED and enacted this 10th day of July, 2001.



Mayor



City Clerk

Amendment No. 172
to the
City of Hamilton Official Plan

The following text together with Schedule “A” – Land Use Concept, Schedule “B” – Special Policy Areas, Schedule “B-1”, Other Special Policy Areas, and Schedules “L-1”, “L-2”, “L-3”, “L-4”, “L-5”, “L-6”, “L-7” and “L-8”, attached hereto, constitutes Official Plan Amendment No.172.

Purpose:

The purpose of this Amendment is to adopt the Downtown Hamilton Secondary Plan as a secondary plan within the City of Hamilton Official Plan. The policies related to the Central Policy Area for Downtown Hamilton are deleted from the Official Plan, and replaced with the Downtown Secondary Plan policies.

Location:

The lands affected by this Amendment are located in the area bounded by Queen Street, Cannon Street, Wellington Street and Hunter Street. This Amendment also includes text changes to the Official Plan related to the Central Policy Area. These changes relate to the areas adjacent to the Downtown Secondary Plan area, located:

- north of Cannon Street, south of the CNR Railway line, from Queen to Wellington St.;
- north of Young Street, south of Hunter Street, from MacNab to Ferguson Ave.;
and,
- east of Wellington Street , west of Victoria Avenue, from the CNR Railway line to Hunter.

Basis:

The City of Hamilton Official Plan designates Downtown Hamilton as “Central Policy Area”. The Central Policy Area permits a broad range of uses in general terms. However, the Central Policy Area does not provide specific land use designations nor does it provide direction for municipal works in the Downtown.

The Downtown Secondary Plan, “Putting People First: The New Land Use Plan for Downtown Hamilton” establishes the detailed land use framework for Downtown Hamilton. The Plan stems from two studies done for the City of Hamilton: The Downtown Hamilton Design Strategy and the Economic Strategy and Development Financing Study.

The Plan focuses on a Downtown Neighbourhood that includes the most intense commercial development in the City; provides new housing opportunities in the Downtown; and connects the Downtown to the neighbourhoods, the waterfront, and the Niagara Escarpment. The plan recognizes, as priorities, the retention and enhancement of heritage buildings, appropriate built form and quality design; quality public spaces; and streamlining development in the Downtown.

The basis for permitting this amendment is as follows:

- 1) The amendment incorporates the Downtown Secondary Plan into the Official Plan for the City of Hamilton.
- 2) The amendment provides for balanced growth in the Downtown including opportunities for infill development and redevelopment of brownfield sites.
- 3) The amendment provides for integration with the neighbourhoods surrounding Downtown Hamilton to establish a broad connection to the largest central city community.

Actual Changes:

1) Schedule "A" – Land Use Concept

This Schedule is to be revised by the addition of a new designation, “Downtown Hamilton”, located in the centre of the existing “Central Policy Area.”

Amendments to the schedule include the redesignation of four areas, from:

- “Central Policy Area” to “Downtown Hamilton”;
- “Major Institutional” to “Downtown Hamilton”;
- “Commercial” to “Downtown Hamilton”; and,
- “Residential” to “Downtown Hamilton”.

2) Schedule "B" – Special Policy Areas

This Schedule is to be revised by the deletion of the Secondary Planning Area from Special Policy Area 3.

3) Schedule "B-1" – Other Special Policy Areas

This Schedule is to be revised by the deletion of Special Area 12, which is the elevated pedestrian walkway system (+15) addressed by Policy A.2.9.3.10, which is also to be deleted.

- 4) The City of Hamilton Official Plan is hereby amended by adding the attached **Schedule "L-1" - Land Use and Development Permit Area** to the Official Plan.
- 5) The City of Hamilton Official Plan is hereby amended by adding the attached **Schedule "L-2" – Planning Area Boundary** to the Official Plan.
- 6) The City of Hamilton Official Plan is hereby amended by adding the attached **Schedule "L-3" – Building Height** to the Official Plan.
- 7) The City of Hamilton Official Plan is hereby amended by adding the attached **Schedule "L-4" – Development Permit Sub-Areas** to the Official Plan.
- 8) The City of Hamilton Official Plan is hereby amended by adding the attached **Schedule "L-5" – Commercial Areas & Sub Areas** to the Official Plan.
- 9) The City of Hamilton Official Plan is hereby amended by adding the attached **Schedule "L-6" – Quality Residential Areas** to the Official Plan.
- 10) The City of Hamilton Official Plan is hereby amended by adding the attached **Schedule "L-7"- Streets and Linkages** to the Official Plan.
- 11) The City of Hamilton Official Plan is hereby amended by adding the attached **Schedule "L-8"- Overall Land Use Strategy** to the Official Plan.
- 12) **Subsection A.2.4**

Add the following text to subsection A.2.4

2.4.1 INTRODUCTION

The Downtown Hamilton Secondary Plan is the first formal plan for the Downtown core and will form part of the Official Plan for the new City of Hamilton. The Plan takes an innovative approach, focusing on the overall roles and physical form of the Downtown rather than dwelling on regulatory details. The intent of the Plan is to foster a dynamic mix of urban residential, commercial and institutional activities across the Downtown. It

is only on the periphery where a single use, residential, is predominant in order to ease the transition into the neighbourhoods surrounding the Downtown.

Downtown Hamilton has been exposed to the same series of stresses that have threatened the well being of city centres across North America since the Second World War. Disruptive urban renewal schemes, the dominance of vehicular over pedestrian needs, changes in retailing and a population shift toward suburban areas undermined the traditional roles of the Downtown. Longstanding community concern about Downtown Hamilton has peaked since the economic slowdown of the early 90s.

During the past decade a series of community workshops, special events and planning processes generated exciting and innovative ideas and recommendations for the Downtown. *A Market Place for Ideas*, *Strong Medicine*, *the Ferguson Avenue Revitalization Project*, *the Gore Heritage Design Study* and *Smart Moves* are just examples of the community's visions generated from the outcomes of these efforts. Many of the ideas generated related to the physical aspects of the Downtown including the design of buildings, streets and spaces and the use of public land.

In 1998 Hamilton City Council decided that the time was right to draw these suggestions together in a new plan for the Downtown. The Downtown planning process began with the preparation of a new overall strategy or vision for the entire area called the Downtown Secondary Plan Design Strategy. This Plan translates the Vision contained in the Design Strategy into policies to regulate the design and physical development of the Core. An Economic and Development Financing Review was also undertaken to provide background information and guidance for the secondary planning process.

Upon adoption by City Council the Secondary Plan will become part of the City's Official Plan meaning that Council is legally obligated to implement its policies. The Secondary Plan has two important functions. First, it presents the community's vision for the future of the Downtown to guide public and private decision-making. Secondly, the Plan indicates what the City's priorities will be for publicly funded initiatives in the Downtown. In effect, the Plan serves as a reinvestment strategy that will assist Council and the Administration in preparing annual budgets and public improvement programs.

2.4.2 A VISION FOR DOWNTOWN HAMILTON

"The Downtown Hamilton of the future will be a vibrant focus of attraction where all our diverse people can live, work and play. The future Downtown must be built on a human

scale, with streetscapes offering comfort, access and safety for pedestrians. The future Downtown will combine the best of our heritage with new commercial and domestic architecture and use. The future Downtown will redirect our gaze from the urban core to the surrounding neighbourhoods, the waterfront, and the escarpment, seamlessly linking commerce, housing and recreation.”

This vision was based on the goals for Downtown Hamilton identified by the participants in a two-day workshop held on February 27 and 28, 1998. The results of this workshop are contained in the report entitled “Downtown: A Market Place for Ideas” prepared for the City of Hamilton by the American Communities Partnership, September 1998.

2.4.3 THE SECONDARY PLAN

2.4.3.1 SECONDARY PLAN PRINCIPLES

The Downtown Secondary Plan Design Strategy identified six principles to guide the preparation of this Secondary Plan. Initiatives and proposals for the Downtown are to be evaluated against these principles to ensure that the City is taking a consistent approach to Downtown revitalization.

- *Use public realm improvements as the catalyst for revitalization:*

The Plan emphasizes the importance of streets and public spaces. By supporting landscaping, park enhancements, public art and pedestrian amenities the City signals its pride and confidence in the Downtown. A focus on improved public spaces will be used to stimulate property values and investment in adjacent private properties.

- *Strengthen the connection to neighbourhoods, the Waterfront, the Escarpment and other surrounding features or attractions:*

At present Downtown Hamilton is surrounded by a ring of vacant properties used primarily as parking lots. These vacant lands tend to isolate the core area from the surrounding neighbourhoods. Downtown is also cut off from important places like the West Harbourfront and the Niagara Escarpment. The Ferguson Avenue Revitalization Program and other recent initiatives are helping to reconnect the Downtown to these important places and people nearby. The Secondary Plan supports a number of projects to foster linkages.

- *Make downtown living attractive:*

Creating a residential neighbourhood in the Downtown core has long been recognized as key to its revitalization. Downtown residents are a convenient market for Downtown retailers and service providers. The ability to walk or bike to work, stores and entertainment facilities will reduce both vehicle trips and the growing demand for parking in the core. Increased densities along major routes into the Downtown will support the public transit system. The Secondary Plan identifies opportunities for a range of housing types catering to a variety of income levels and household characteristics. The Plan also commits the City to providing the public services and amenities required by future Downtown residents.

- *Build on existing strengths:*

A tendency to focus on problems diverts community attention and energy away from the special features that give Downtown Hamilton a unique “niche” within the larger City. The presence of three levels of government ensures a degree of stability in the office sector. Hamilton Place, the Art Gallery of Hamilton and the duMaurier Centre are cultural centres found nowhere else in the community. Public facilities such as the Central Library, the Farmer’s Market and Copps Coliseum are key attractions. While the Downtown’s retail prominence has declined it is still a destination for those seeking specialized experiences, products and services. All these activities are set within an architecturally rich area. Hamilton’s legacy of historic buildings and streetscapes are its greatest distinction and worthy of enhanced restoration effort. The Secondary Plan builds on these strengths.

- *Recognise the value of modest improvements and changes:*

A desire for quick and simple solutions often nurtures “big project” responses to Downtown decline. In fact, experience across North America suggests that Downtown revitalization most often results from a collection of seemingly modest actions by individuals, small businesses and community organizations. Downtown decline did not happen overnight. Recovery is also a gradual process in response to a series of actions that work together to achieve community goals. This Plan identifies opportunities for a range of large and small actions.

- *Pursue a limited number of carefully designed and executed major projects:*

In spite of the previous principle, there is still a place for large projects provided they contribute to achieving the goals of this Plan. Quite often large initiatives require significant public investment and the promised benefits may not be realized. Careful evaluation against the principals and policies of this Plan should assist in determining which major projects should be pursued.

2.4.3.2 The Overall Secondary Plan Framework

2.4.3.2.1 The Five Theme Areas of the Plan

The overall revitalization principles for the Downtown Secondary Plan are discussed in the previous section and in the Downtown Secondary Plan Design Strategy. The policies contained in the following sections outline how these principals are to be applied in public and private decisions for the Downtown.

The Secondary Plan policies are grouped into five themes:

- *Respecting Design and Heritage*

Downtown Hamilton is blessed with a rich architectural legacy. The heritage structures and spaces provide a physical history of the community. Conservation and reuse of these buildings not only enhances the Downtown but can serve as a catalyst for other public and private investments. Heritage buildings also provide living examples of design elements that can be reflected in new construction that complements rather than diminishes the surrounding streetscape. The Secondary Plan policies call for a greater emphasis on urban design and heritage conservation as critical elements of downtown revitalization.

- *Carving Out A Distinct Economic Role*

Policies for commercial land use recognize that the economic role of the Downtown has changed dramatically in recent decades. For many years Downtown Hamilton was the retailing heart of the entire community. This is no longer the case and this Plan acknowledges evolving retail patterns. Market research also indicates that there is limited potential for major office development in the Downtown core. At the same time there is increasing demand for

entertainment related commercial activities as well as specialty retailing. Continued residential development within the Downtown will create a new market for a variety of resident oriented goods and services.

- *Creating Quality Residential Neighbourhoods*

While the Secondary Plan supports the creation of new housing throughout the Downtown, the Residential policy section is chiefly intended to foster the creation of quality residential precincts on areas surrounding the heart of the Downtown. The vacant commercial properties that isolate the Downtown from adjacent neighbourhoods are of particular interest in this regard. The policies of this Plan aim to ensure that new residential areas in the Downtown complement the scale and character of nearby established neighbourhoods.

- *Enhancing Streets and Public Spaces*

The Secondary Plan emphasizes the importance of the continued enhancement of the “public realm” in the Downtown. These are the streets and public places of the core area that knit together the individual buildings and structures. Better quality streets, the creation of new parks and the establishment of new landmarks will enhance the overall image of the City and demonstrate civic pride.

- *Establishing A New System for Planning Approvals*

The Province of Ontario has selected Hamilton as a pilot location for testing a new system for development approvals. The Secondary Plan contains policies for the implementation of this new approach. Under the Development Permit System the review and approval process for projects in the Downtown will be streamlined. A single permit will replace the standard zoning, committee of adjustment and site plan approvals required for most projects. Initially, this system will apply to the area bounded by Jackson, Catharine, James and Wilson Streets. In the long term it is expected that the entire Downtown Planning Area will be included in the development permit system.

2.4.3.2.2 From Plan to Action

Secondary Plans affect decisions and actions by both the public and private sectors. The policies of this Plan will be translated into new zoning regulations for the Downtown. The review and approval processes for development proposals will ensure

that projects conform to the objectives and specific directions for land use contained in the Plan.

Each policy section includes a set of specific land use or design objectives to guide development approvals. If the policies contained in the section do not provide adequate guidance, reference should be made to these objectives to clarify the intent of the Plan. This Plan also recommends a number of proposed public improvement initiatives as well as detailed guidance for the creation and enhancement of public assets in the Downtown.

2.4.3.3 General Policies

2.4.3.3.1 Land Use Policies

- a) The Downtown Secondary Planning Area describes the lands bounded by Queen, Hunter, Wellington and Cannon Streets as depicted on Schedule “L-2” and referred to as the Downtown in this Plan. Policies applying to this Planning Area presently contained in the following plans are no longer in effect: Central Neighbourhood Plan, Central Area Plan, Durand Neighbourhood Plan, Corktown Neighbourhood Plan and Beasley Neighbourhood Plan.
- b) There will be one “official” map showing the land use designations. At present, the Development Permit Demonstration Area will be shown as a blank rectangle without land use designations. Schedule “L-8”, the Overall Land Use Strategy, provides the land use designations for the entire Downtown Planning Area.
- c) This Secondary Plan has been developed in accordance with Provincial Policy supporting economic prosperity by maintaining the well being of downtown and main streets.
- d) All public initiatives and private development approvals in the Downtown Secondary Planning Area will be subject to architectural and design peer review, in accordance with the policies of this Plan, to assist the City in ensuring that the design objectives and policies of this Plan are reflected in all projects.
- e) In addition to the land uses described in Section 2.4.3.3 the following uses will be permitted throughout the Downtown:
 - Public Uses including Schools
 - Social service facilities
 - Places of worship
- f) The following shall apply to land uses shown on Schedule “L-1” as Public Uses:

- i. Whitehern – The current msueum use and its accessory functions are recognized as of the date of adoption of the plan. Any change in use will require an amendment to this plan.
 - ii. Sir John A. MacDonald High School and Dr. J. Edgar Davy School – Should the school cease to exist, the permitted uses will be Low Density Residential in accordance with this plan.
- g) Surface parking lots existing on the date of adoption of this plan will be legal non-complying uses to this Plan. New surface parking lots shall not be permitted. Existing surface parking lots shall be permitted to expand under the following conditions:
- i. The expansion is minor in nature;
 - ii. The expansion does not result in a net increase of surface parking spaces on the site.
- h) It is the intention of this Plan that density of development be achieved through complete site coverage rather than through building height in accordance with this Plan. All new development in the Downtown will be a minimum of two storeys in height and subject to height limitations as shown on Schedule “L-3” and in the specific policies of this Plan. Building height limitations fall into three ranges:
- Low rise - 2 to 4 stories
 - Mid rise - 6 to 8 stories
 - High rise - 12 to 15 stories
- i. Building heights may be increased above that shown on Schedule “L-3”, provided that the upper stories are massed, stepped back, or terraced in order to ensure that the additional height, above that permitted, will not result in: increased sun shadow impacts on public sidewalks or public spaces, and shall address the following:
- Coverage of the site, in accordance with this plan, is achieved;
 - sun shadow impacts on public sidewalks or public spaces;
 - wind impacts on public sidewalks;
 - impacts on streetscapes and views of streetscapes, landmark structures or heritage buildings from the public sidewalks;
 - Proponents may be required to submit a sun/shadow analysis, wind impact analysis or a visual impact analysis as part of the approval documentation for proposals that exceed height limitations.

- ii. The City may permit an increase in height above the permitted height to accommodate decorative building elements such as towers or cupolas subject to the consideration for sun shadow, wind, and views listed above.
- iii. Proposed increases in height must also demonstrate design consideration for the surrounding urban form.
- i) Design and location of all signage and outdoor fixtures including sidewalk café enclosures, will respect the architectural integrity of the host building or site. Awning signs will be encouraged in pedestrian oriented areas.
- j) Transfers of density or development rights will be accommodated within the Downtown Secondary Planning Area, except the Development Permit System Area, subject to land use regulations through the Zoning By-law." Transfers of density or development rights will be undertaken to achieve the following policy objectives:
 - i. Retention of heritage buildings and groups of heritage buildings/heritage streetscapes;
 - ii. Provision of at grade open space conforming to Sections 2.4.4 and 2.4.7.2.2 of this Plan;
 - iii. Retention of existing open space areas adjacent to private development.
- k) Environmental Protection Act requirements may apply to sites formerly occupied by industrial, commercial and institutional uses.
- l) Within the downtown are a number of sites that were formerly occupied by industrial, commercial and institutional uses. In order for redevelopment of these sites to proceed, it must be demonstrated that there are no soil contamination issues or other environmental issues that would preclude redevelopment. In this regard the applicant may be required to submit information to demonstrate that soil conditions are acceptable.
- m) The following policies shall apply for industrial and manufacturing land uses in the Downtown Secondary Planning Area:
 - i. New industrial and manufacturing facilities, which are developed as stand alone single use entities, shall not be permitted; however, live/work arrangements that involve manufacturing and/or processing shall be permitted, provided they are compatible with neighbouring areas, in terms of noise, vibration, air quality, and other environmental factors.
 - ii. Existing industrial and manufacturing facilities shall only be permitted to expand on the existing property, provided the following objectives are achieved:
 - The design objectives of this plan are achieved;

- The expansion does not compromise the City's ability to implement the long-term land use strategy of this plan;
- There shall be no adverse impacts from the expansion on existing or planned residential or mixed uses;
- The proposal shall address the remediation of environmental issues including noise; vibration; indoor and outdoor air quality; odour; dust; fumes and refuse; and soil and groundwater contamination.

n) The following policies apply to uses that do not comply with this plan:

- i. The existing use is recognized as non-complying;
 - ii. Expansion shall only be permitted when it can be demonstrated that the existing use is operated in a manner that does not create dust, noise, odour, vibration, fumes, soil and groundwater contamination, and/or noxious spillover effects on existing uses and planned uses;
 - iii. The expansion shall comply with design objectives of this plan, in accordance with the policies in Sections 2.4.4 and 2.4.7, are achieved;
 - iv. There shall be no adverse impacts from the expansion on existing or planned residential or mixed uses;
 - v. The proposal shall address the remediation of environmental issues including noise; vibration; indoor and outdoor air quality; odour; dust; fumes and refuse; and soil and groundwater contamination;
 - vi. Upon the ceasing of operation of the non-complying use, or abandonment of the use, development and/or redevelopment of the property shall comply with this plan.
- o) The City will ensure development and redevelopment in neighbourhoods and lands surrounding this Secondary Planning area reflect the scale of development identified in this plan.
- p) Signage shall be used for way-finding and identifying buildings and public places in downtown. The City will undertake a pedestrian oriented signage study to establish comprehensive sign policies for the Downtown. New signage geared to fast-moving vehicular traffic such as billboards or permanent portable signs shall not be permitted.
- q) New building construction shall include sustainable building design and construction practices to address energy efficiency, water conservation, waste reduction, and air quality technology.
- r) Temporary use by-laws in the Downtown Planning Area shall comply with this Secondary Plan.

2.4.3.3.2 Transportation Policies

- a) Changes to the transportation systems within the Downtown Secondary Planning Area, including timing of implementation, will conform to the Downtown Transportation Master Plan.
- b) Redevelopment in the Downtown will be undertaken in conjunction with the implementation of an approved parking strategy providing for the consolidation of parking opportunities in strategic locations. The parking strategy is contained within the Downtown Transportation Master Plan.
- c) New development and redevelopment will be at a scale and density that supports public transit in the Downtown. It is a priority of this plan to provide public transit in the planning area and pedestrian access to public transit through:
 - Providing transit routes into and within Downtown Hamilton;
 - Ensuring transit accessibility is incorporated into street redesign;
 - Providing direct access between buildings and the public streets to transit stops;
 - Providing pedestrian-scaled distances to transit stops within the Downtown.
- d) Redevelopment in the downtown will be undertaken in conjunction with the implementation of an approved transit terminal site that promotes the efficiency and effectiveness of the public transit system and the adoption of a roadway operations plan that includes appropriate transit priority measures at strategic locations so that public transit can successfully complement and support the various initiatives contained within this Plan.

2.4.3.3.3 Administration of this Plan

- a) The background or explanatory notes contained in the side margins of this Plan do not constitute a part of the Secondary Plan.
- b) All studies required by the policies in this plan must be submitted prior to any application under the Ontario Planning Act being deemed a complete application.
- c) Major public initiatives undertaken in the Downtown will be subject to Municipal Class Environmental Assessment processes where applicable.
- d) The 1997 Downtown Community Improvement Plan (CIP) will continue to be in effect for the Downtown Secondary Planning Area. Amendments to the CIP and

implementation programs or projects undertaken through the CIP will conform to objectives and policies of this Plan.

- e) All permits and approvals issued by the City of Hamilton within the Downtown Secondary Planning Area will conform to this Secondary Plan.
- f) The objectives and criteria for all municipal grant and loan programs established under the Downtown Community Improvement Plan will conform to this Secondary Plan.
- g) All municipal capital works programs undertaken within the Downtown shall conform to this Secondary Plan.
- h) The Property Standards By-law will be employed where appropriate to achieve the policy objectives of this Plan.
- i) The policies applicable to the proposed Development Permit Area form part of this Secondary Plan and are in effect as of the date of adoption.

2.4.4 Respecting Design and Heritage

Every project or development in the Downtown must be viewed in relationship to all the buildings, streets and public spaces around it. The appearance of the Downtown is as important to its future vitality as the activities and services that go on inside the buildings. This focus on the physical form and inter-relationships of all matters of design of the Downtown is the practice of urban design.

Good urban design means that the architecture and landscape features in an area reflect the unique features of the community. Local history, climate, environmental features and architectural tradition influence urban design. This Secondary Plan will support a high standard of urban design through an enhanced emphasis on heritage buildings and streetscapes and the adoption of defined standards for the design of new buildings and structures.

Heritage buildings and streetscapes define Downtown Hamilton as a unique place. The concentration of heritage features in the Downtown is unrivalled anywhere else in the City and is one of its key assets. Conservation and adaptive re-use of heritage buildings is challenging but has many benefits for the entire community. The existing built form is one of the key strengths and opportunities in downtown Hamilton. In recent years, there has been a trend to removing heritage buildings for use as surface parking lots. This Plan seeks to provide new importance and opportunities for the heritage elements of downtown. Equally as important, this Plan recognizes the value of heritage buildings, streetscapes, and the cultural landscape and places a priority on their retention and enhancement.

This Secondary Plan outlines design requirements for commercial and residential areas as well as streets and public places. In order to implement these policies the City will place more emphasis on design matters in the development approval process and will establish a new planning mechanism for a portion of the Downtown (The Development Permit System).

2.4.4.1 Secondary Plan Objectives

- ✓ Retain and enhance the historic fabric of Downtown Hamilton.
- ✓ Ensure that new development respects and reflects the design of surrounding heritage buildings.
- ✓ Conserve and enhance the Gore as the primary landscaped open space and concentration of heritage buildings in Downtown Hamilton.
- ✓ Create new programs and planning mechanisms for ensuring a higher standard of urban design in Downtown Hamilton.
- ✓ Ensure that public improvement projects are undertaken within an overall design and implementation program that respects these objectives.

2.4.4.2 Heritage

- a) In accordance with the Ontario Planning Act this Secondary Plan will promote the conservation of significant built heritage resources and cultural heritage landscapes.
- b) Land use regulations and municipal incentive programs will be used in the retention, conservation, rehabilitation, restoration or adaptive reuse of properties that have been:
 - designated under the Ontario Heritage Act; and/or;
 - listed in the Municipal Inventory of Buildings of Architectural and/or Historical Interest.
- c) A long-term management strategy will be developed for all designated or listed heritage resources in the Downtown. The strategy will identify appropriate mechanisms for the retention, conservation, rehabilitation, restoration or adaptive reuse. This strategy will not only assist in the review of development or redevelopment proposals that impact on heritage resources but will also include priorities for public investment in special heritage conservation programs. The strategy will also identify candidate areas for designation as heritage districts.
- d) Development in appropriate locations that incorporates buildings or groups of buildings with historic character or architectural value, and proposals that utilize buildings or lands that are underutilized or vacant is a priority in the downtown.

Programs such as permit fee rebates, transfer of development rights, and density increases shall be considered in light of the proposal's contribution to maintaining and enhancing the historic character, the architectural value, and the historic elements of the building or buildings.

- e) A Heritage Impact Assessment, in accordance with the Official Plan for the City of Hamilton, will be required for any development or redevelopment in the Downtown, both private or public initiatives, that proposes to erect, demolish or alter buildings or structures on or adjacent to properties that meet the following criteria:
 - i) Properties designated under the Ontario Heritage Act;
 - ii) Buildings or structures listed on the City's Inventory of Buildings of Architectural and/or Historical Interest;
 - iii) Sites featuring open spaces, vistas or cultural heritage landscapes listed on the Cultural Landscape Resources Inventory.
 - iv) Properties within or adjacent to a Heritage Conservation District.
- f) The Heritage Impact Assessment will be processed with development approvals or building permit applications when submitted to the City. The Heritage Impact Assessment will be required as part of a complete application to the City. The Local Architectural Conservation Advisory Committee (LACAC) will review the Heritage Impact Assessment and decisions will be made only when the heritage review is completed.
- g) The City/Council may require that as part of the development or redevelopment of land in the downtown that heritage properties are retained on-site and incorporated, used or adaptively re-used as appropriate to the proposed development and land use. Retention of a heritage feature on lands subject to development may be a requirement as a condition of development approval. Specifically, heritage easements under subsection 37(1) of the Ontario Heritage Act may be required and negotiated, as well as development agreements, respecting the care and conservation of the affected heritage property.
- h) New development or redevelopment in areas including heritage buildings and/or adjacent to a group of heritage buildings will:
 - Reflect the setbacks, heights and cornice lines of adjacent buildings;
 - Support the creation of a continuous street wall through built form;
 - Maintain a consistent street orientation and building line of the building(s);
 - Reflect the character, massing and materials of surrounding buildings.
- i) The City will demonstrate leadership by pursuing opportunities to conserve municipally owned heritage resources in the Downtown.
- j) Where alterations are proposed to heritage buildings, the following principles will be followed:
 - Maintain the basic relations of the horizontal divisions of the building;

- Maintain original façade components and materials wherever possible;
- Replicate the original parts and materials where possible or substitute with similar materials and colours;
- Remove elements that are not part of the original design and/or hide the original design, for example signage, siding or roof treatments.

2.4.4.3 General Urban Design Policies

- a) New development in the Downtown, and redevelopment, will address the urban design principles in this plan, and particularly, the following:
 - Achieving a comfortable and intimate pedestrian environment;
 - Ensuring that new development is compatible with existing adjacent structures and streetscapes in terms of design, scale, massing, setbacks, height, integration with the built form, and use;
 - Eliminating street level parking lots and vacant properties along major streets;
 - Creating a sense of place through the incorporation of public art and interpretive media;
 - Providing “eyes on the street” and an interesting pedestrian experience by ensuring that the ground floors of all buildings have windows and doors opening onto the street or public laneways where appropriate. Entrances are to be provided at grade;
 - Ensuring barrier-free access from grade level;
 - Eliminating expanses of blank walls along street frontages;
 - Preparation of streetscaping plans for streets identified in Tables 1 and 2.
- b) The City will develop a resource text illustrating the urban design principles with supporting text and illustrations for use by the public and private sector design for initiatives in the Downtown.
- c) New development, redevelopment, or alterations to existing buildings must conform to the policies of this plan and the urban design objectives.
- d) The City will establish a design committee to provide a peer review of all public and private projects in the Downtown in order to ensure that projects reflect appropriate architectural design at a high quality. The design committee shall advise staff on the architectural and design issues related to land use changes and development.
- e) The City will demonstrate community leadership by designing high quality public buildings and spaces in Downtown Hamilton. This will be achieved by:
 - Ensuring that all City projects are developed to a high standard of design and in accordance with the policies of this Plan;

- Maintaining and upgrading Civic structures and properties to the standards described in this Plan through an ongoing program of new investment;
 - Upgrading public streets and public spaces to promote a high quality of design, public safety and ease of access.
- f) Significant views and vistas in the downtown will be protected as development occurs. Protection of views and vistas will be achieved through:
- The size and placement of new buildings to protect the views identified in this plan;
 - Development of building facades that create visual connections to the streets and public spaces;
 - Orientation of windows, entrances, balconies and other building elements to surrounding points of interest and activity.

for the following:

- Views of Gore Park from King Street, James Street, Hughson Street, and Catharine Street;
 - Views of Hamilton Harbour and the Niagara Escarpment from James Street;
 - Views of the Niagara Escarpment from Bay Street, Catharine Street, and Wellington Street;
 - The continuous linear path of Ferguson Avenue;
 - Views on Hughson Street, from Gore Park, terminating at the TH&B Station;
 - The Main Street Corridor between Bay Street and MacNab Street.
- g) New development and redevelopment shall integrate roof design and function with the surrounding buildings and public spaces. This will be achieved through:
- i. Integrating the roof function, shape, surface materials, and colours with the building's overall design concept;
 - ii. Encouraging the size and placement of rooftop mechanical equipment in discrete and unobtrusive locations to protect or enhance views of the downtown from other buildings and the public street;
 - iii. Developing rooftop terraces, gardens, and associated landscape areas for climate enhancement and for stormwater management;
 - iv. Incorporating best practices and appropriate technology to reduce energy consumption and improve air quality.

2.4.4.3.1 Urban Design in Public Spaces

- a) An overall program of public improvements will be developed for the public spaces in the Downtown that are listed in policy 2.4.4.3.1c). Public improvement projects undertaken prior to the completion of the urban design principles document will be assessed against the goals and policies of this Secondary Plan and any pre-existing design study.
- b) All designs for public improvements will be subject to community consultation processes and shall be subject to review by the design committee specified in policy 2.4.4.3 d).
- c) Within the overall framework described in a), the following specific areas will be given particular attention:
 - i. A design plan and program of public improvements for the streets surrounding the Jackson Square Complex (Bay, York, James, King). Portions of this project will be undertaken in conjunction with the proposed redevelopment of the Hamilton City Centre (former Eatons Centre). The following elements will be addressed in the design plan:
 - Where feasible, widened sidewalks to a width of four metres;
 - Creation of a continuous canopy over the sidewalks through street tree plantings or the use of lighting, banners and awnings;
 - Installation of sheltered public seating areas;
 - Landscaping improvements;
 - Installation of works of public art;
 - Provision of additional on-street parking;
 - Improved pedestrian areas along the streets;
 - Increased pedestrian access from the street to buildings and stores in the Jackson Square Complex;
 - Opportunities for complementary enhancements of adjacent private structures or lands;
 - Opportunities for improved design to the open space and plaza area, including:
 - introducing pedestrian paths/sidewalks that replicate the historic grid street pattern through the Jackson Square Complex;
 - street level access with defined entry to the open space and plaza area;
 - improving connections between the street level areas and the open space and plaza area;
 - examining the feasibility of reintroducing streets in accordance with the historic grid street pattern and orienting new buildings to these streets.

- ii. A design plan and program of private and public improvements will be developed for the civic space formed by Commonwealth Square at the Art Gallery of Hamilton and the City Hall Forecourt. The design study will address the following:
 - Clear identification of the area as the prime civic gathering space for citizens of the City of Hamilton;
 - An integrated design for the area extending from the rear of the Art Gallery to the front of Hamilton City Hall;
 - East-west landscape and pedestrian linkages to the Board of Education Building and the Convention Centre/Hamilton Place;
 - Recognition of landmark buildings in the vicinity including Hamilton City Hall and Whitehern Historic House and Garden;
 - Provision of commercial opportunities accessory to the Art Gallery and the Convention Centre fronting on Summer's Lane and King Street East;
 - An improved pedestrian environment and pedestrian access for Summer's Lane;
 - Integration with the redevelopment of Art Gallery of Hamilton;
 - Street level pedestrian linkages to the adjoining residential neighbourhoods, Jackson Square and the Main Street Corridor;
 - Visual linkages through streetscape elements, paving patterns, lighting, banners are to be provided to encourage pedestrian traffic in the Civic and Cultural Area and to portray a vibrant downtown.
- iii. A long-term design/management plan will be developed for the public spaces within and adjacent to Gore Park. This plan will support a long-term program of improvements and initiatives for the Gore and will respect the guidelines contained in the 1996 Gore Heritage Design Study.
- iv. A design plan and program of public improvements will be developed for Downtown streets prior to the initiation of multi-phase street capital improvement plans. Please refer to Section 2.4.7, Enhancing Streets and Public Spaces for details.
- v. Design plans and public improvement programs will be developed in partnership with adjacent landowners for a series of smaller feature areas in the Downtown including, but not limited to:
 - The Open Space Area adjacent to Main Street at the former County Courthouse;
 - The Tivoli Theatre precinct including the Theatre, and adjacent properties;
 - Small open spaces on the north side of Hunter across from the GO Station;
 - Major entrance points to the Downtown at James/Hunter, Bay/Hunter, Queen/Hunter, King/Hess, Queen/York/Cannon, Bay/Mulberry, Ferguson/Wilson;

- The streetscaping of any local street downtown converted from one-way to two-way operation.

2.4.5 Carving Out A Distinct Economic Role

The Secondary Plan recognizes that the traditional economic role of Downtown Hamilton has changed. It is no longer the major shopping destination for the wider community and will not experience significant high-rise office tower development in the future. The commercial policies of this Plan are intended to move the Downtown toward a new role, including small offices; live/work arrangements; warehouse conversion; and new technology enterprises such as call centers and e-commerce.

In the coming years the Downtown will maintain its key role as the centre of all levels of government for the entire municipality, as well as other institutions. The City's major cultural facilities are also found in Downtown Hamilton.

The Commercial policies of this Secondary Plan are intended to support intensive, urban-scale commercial development. Over time, ground level commercial facades will be re-oriented toward the pedestrian by ensuring that doors and windows open onto the streets.

2.4.5.1 Secondary Plan Objectives

- ✓ Confirm Downtown Hamilton's role as the government, institutional and cultural centre of the City.
- ✓ Establish a defined and more compact Central Business District within the Downtown.
- ✓ Establish defined commercial office and retail areas within the Downtown.
- ✓ Promote retail areas geared to the needs of residents in the Downtown and adjacent neighbourhoods

2.4.5.2 General Commercial Policies

- a) The policies in this Section apply to the lands designated for commercial uses as depicted on Schedule "L-1". Please refer to Section 2.4.8 for policies applying to lands within the Downtown Development Permit Area.
- b) Except where noted in specific policies, all new development will be oriented toward the surrounding streets with at grade pedestrian entrances onto the sidewalks.

- c) Vehicle-oriented land uses such as gas stations and other drive-through services or other uses normally classified as highway commercial will not be accommodated.
- d) Development in the Central Business District shall be built at an urban form of development and shall include:
 - A relationship between the building and the street so that the development contributes to the overall built form in the downtown;
 - Creation of positive public space between the building and the street(s) on which the building is located;
 - Where retail uses are proposed, direct connection to the street from the retail use in the building;
 - A clearly defined entrance to the building from the street.
- e) Buildings will endeavour to provide pedestrian access on the ground floor at the street level and will locate loading and service entrances at the rear.

2.4.5.3 Specific Policies

The Secondary Plan designates four categories of commercial land. They are:

- The Central Business District;
- Prime Retail Streets;
- Speciality Commercial Areas;
- Local Commercial Areas.

The following specific policies apply to lands within the four categories listed above as depicted on Schedule "L-1".

2.4.5.3.1 The Central Business District

The Central Business District will accommodate the highest densities of commercial development within the Downtown. It is the office, cultural and government centre for the entire City and an important retail area for the Downtown and adjacent residential areas. The Central Business District incorporates three distinct commercial areas shown on Schedule "L-5".

- The Jackson Square Complex
- The Civic Cultural Area
- The Main Street Corridor

- a) The Central Business District will be the primary location for new office development in Downtown Hamilton. The construction of buildings whose primary use is commercial offices will be discouraged elsewhere in the Downtown. Alternatively, mixed-use buildings comprising residential and offices and commercial uses will be encouraged and promoted.
- b) The Hamilton Farmer's Market is a key civic and economic priority in downtown Hamilton. The current location and operations of the Hamilton Farmer's Market will be reviewed, with the market operators and stallholders, to ensure that the needs of the entire Downtown community are being properly addressed and to ensure the long-term viability of the Farmer's Market.

2.4.5.3.1.1 Jackson Square Complex

The Jackson Square Complex is the grouping of enclosed retail malls, Copps Coliseum and office structures within the area bounded by York Boulevard, Bay, James and King Streets. This complex also houses key public facilities. A mix of office, retail and entertainment uses will be accommodated in this area. Over time development and redevelopment proposals within the Complex will be required to redesign the blank building facades and reorient the complex toward the surrounding streets.

- a) New development or redevelopment in this area will ensure that the frontage along York Boulevard and Bay, James and King Streets will be dominated by street-related retail and entertainment use.
- b) High rise development will be accommodated in the Jackson Square Complex subject to the height limitations contained on Schedule "L-3".

2.4.5.3.1.2 Civic Cultural Area

The Civic Cultural Area shown on Schedule "L-5" will continue to be the prime government, institutional and cultural centre of the entire City. Key buildings and institutions such as Hamilton City Hall, the Art Gallery of Hamilton, Hamilton Place, the Hamilton Convention Centre and the Board of Education Building, are the primary uses and buildings in this area.

- a) All development in the Civic Cultural Area will focus on the street and establish a direct relationship with either King or Main Streets. Buildings fronting onto King or Bay Streets may have additional setback to accommodate public open spaces, cafes and other amenities.

- b) Development in the Civic Cultural area will be subject to height limitations as shown on Schedule “L-3”.
 - A design plan and program of private and public improvements will be developed for the civic space formed by Commonwealth Square at the Art Gallery of Hamilton and the City Hall Forecourt Area. Please refer to Policy 2.4.4.3.1.

2.4.5.3.1.3 Main Street Corridor

The Main Street Corridor describes the north and south sides of Main Street, east of Catharine Street and the area west of Bay Street, as shown on Schedule “L-5”. It will continue to be a mixed-use area containing office, institutional, residential and retail uses.

- a) New development shall contribute to the creation of public open space along the Main Street through appropriately located amenity areas that contribute to the pedestrian environment on Main Street.
- b) Vacant parcels in this area should be developed as mixed use, mid-rise buildings to strengthen Main Street’s image as a primary residential and commercial avenue within the Downtown. Office, institutional, residential and retail uses will be accommodated in this area.
- c) The height of new buildings and additions should be mid-rise in height in order to maintain a pedestrian scale along Main Street. Please refer to Schedule “L-3”.
- d) The permitted building height may be increased above the normally permitted height, provided the building is massed so as to achieve the following:
 - The additional height above the normally permitted height will not result in any adverse shadow or wind impacts on the Main Street public sidewalks.
 - In addition to the foregoing, the City may permit an increase in height above the normally permitted height for decorative building elements such as towers or cupolas, provided that there are no adverse shadow or wind impacts on the Main Street public sidewalks.
- e) Signage will be designed and located to respect the architectural integrity of the host building.

2.4.5.3.2 Prime Retail Streets

James Street and King Street east of Catharine Street, and west of Bay Street, has been designated a Prime Retail Streets as shown on Schedule “L-1”. Gore Park, the

most significant public open space in Downtown Hamilton is located between these areas.

King Street and James Street, North and South are the historical core of the Downtown shopping district and future retail development will be encouraged to locate along these streets. The only exceptions will be retail development situated in the Jackson Square Complex and local commercial uses in appropriately designated areas serving the needs of residents in the vicinity.

- a) Ground floors will predominantly be occupied by street oriented commercial uses. Upper floors of buildings along King and James are designated for mixed uses such as office commercial, residential and live/work arrangements.
- b) Buildings will maintain the traditional building line and height at the street to provide an uninterrupted building line at the street level.
- c) A design plan and program of public improvements will be developed for the Prime Retail Streets area. See Section 2.4.7.
- d) The following are to be provided for development proposals within the Prime Retail Streets area:
 - Access to buildings will be at the street level. Ground floor facades will have doors and windows open to the street.
 - Buildings will be built at the streetline with no setback from the property line.
 - Accessory surface parking will not be accommodated along the street frontage.
 - New driveway access shall be at the rear of the property, and not on the public street. Alleyway access at the rear shall be utilized.

2.4.5.3.3 Specialty Commercial

Downtown's Specialty Commercial Areas, Hess Village and King William Street are shown on Schedule "L-5". They are the key dining and entertainment areas in the Downtown.

Hess Village will continue to be primarily a dining and entertainment area with active public spaces and a pedestrian scale. Other uses such as office, limited retail and residential will be accommodated provided the primary role of the area is maintained. With theatres and restaurants in close proximity to King William Street has the potential to be a major destination area in the Downtown. Mixed use and residential development is also encouraged, particularly loft conversions. The Lister Block, one of the Downtown's Landmark Buildings is located nearby.

2.4.5.3.3.1 Specific Policies for Hess Village

- a) Hess Village will continue to accommodate a mix of at grade dining and entertainment establishments combined with residential and other commercial uses.
- b) The existing heritage character of Hess Village, as evidenced by the buildings around the intersection of Hess and George Streets, is to be enhanced and maintained. Conservation of the existing heritage character is a priority in all development. New development must be consistent with the existing built form in Hess Village. Adaptive re-use is to be the primary re-development initiative for existing buildings.
- c) At present Hess Village incorporates a variety of building types. Consequently a range of height limitations is proposed to ensure that new development respects the character of the area. These height limitations are shown on Schedule "L-3".
- d) George Street, Hess and Bay Streets will be redeveloped as landscaped streets supporting a mix of grade oriented restaurant and commercial uses. George Street will provide a pedestrian route to the Central Business District.
- e) New developments along King Street and at the King/Bay intersection will accommodate street oriented retail and entertainment uses. Building frontages will be dominated by these uses.
- f) Public open spaces will define the entrances to Hess Village, as shown on Schedule "L-3".

2.4.5.3.3.2 Specific Policies for King William Street

- a) Streetscape improvements will be undertaken along King William Street as outlined in Section 2.4.7. The street design will incorporate generous sidewalks, special paving and extensive planting.
- b) New mixed-use development will be achieved through the redevelopment of parking lots and the conversion of industrial and warehouse buildings for residential and commercial use. Conservation of the existing heritage character is a priority in all development. Adaptive re-use is to be the primary re-development initiative for existing buildings.
- c) New buildings shall be located along the street line. The height of new buildings and additions shall be consistent with the traditional street wall established by existing buildings and, therefore, shall maintain a height of 3-4 storeys at the street line, with the potential for decorative building elements stepped back from the street line when higher than 4 storeys. Increases above this height shall conform to Policy 2.4.3.3.1h) of this Plan.

- d) Buildings will incorporate ground level pedestrian access to include the following: uses open to the public/accessibility from ground level including doorways and windows; and, where possible, servicing from the rear of the property.
- e) Residential uses may be permitted on the ground floor of a building where required to accommodate residential lobbies and service areas. Where possible, residential service areas should be oriented away from the front building façade.
- f) Signage will be designed and located to respect the architectural integrity of the host building. Awning signs will be encouraged.

2.4.5.3.4 Local Commercial Areas

Local Commercial Areas are depicted on Schedule "L-5". This designation will accommodate sidewalk oriented service and retail activities geared to the daily needs of area residents. The impacts of commercial activities will not detract from the residential character of these areas.

Specific Policies for Local Commercial Areas

- a) Retail uses will occupy ground floor spaces in the Local Commercial Areas. Other service commercial uses may also be situated at ground level providing that retail activities dominate. Office commercial and residential uses shall be permitted on the upper floors.
- b) The following design elements are applicable in Local Commercial Areas:
 - Accessory surface parking will not be accommodated along the street frontage.
 - Street redesign in Local Commercial Areas will maximize on-street parking.
 - Buildings must be a minimum of two storeys in height.

2.4.6 Creating Quality Residential Neighbourhoods

Downtown Hamilton is surrounded by four residential neighbourhoods – Durand, Central, Beasley and Corktown. All have active residents associations, schools and parks, a mix of historic and new housing and key streets linking to the Downtown.

Within the Downtown Secondary Plan Area there are tracts of vacant land in the commercial core and the adjacent neighbourhoods. Many of these properties are parking lots. The policies of this Secondary Plan seek to encourage the redevelopment of these sites through appropriate residential infill projects and limited commercial development geared to the needs of residents.

This Secondary Plan supports the improved connection of neighbourhoods to the downtown core, the development of vacant land for higher and better use at an appropriate scale, and the overall balancing of commercial and residential development for a vibrant healthy core. New housing adjacent to the business core is an important theme of this Plan.

2.4.6.1 Secondary Plan Objectives

- ✓ Improve the linkages between the Downtown and surrounding residential areas through the development of vacant properties. Residential and mixed-use development on these sites will create a transitional area on the edges of the Downtown.
- ✓ Create a diversified housing supply in the Downtown geared to the needs of various age groups with increased opportunities for home ownership.
- ✓ Preserve and enhance the existing residential communities within the Secondary Plan Area.
- ✓ Provide and maintain neighbourhood services such as local shopping area, community centres, parks and open spaces and educational facilities in and adjacent to Downtown residential areas.
- ✓ Establish new residential areas that reflect urban design features consistent with a Downtown location and the heritage character of the area.
- ✓ Over the long term, seek to repair and complete the open grid of streets and blocks in the neighbourhood.
- ✓ Over the long term, return the residential street system to a residential scale with opportunities for two-way traffic.

2.4.6.2 General Residential Policies

- a) The policies in this Section apply to the lands designated for residential uses as depicted on Schedule "L-1". Please refer to Section 2.4.8 for policies applying to lands within the Downtown Development Permit Area shown on Schedule "L-1".
- b) It is intended that the highest residential densities in the City will be in Downtown Hamilton. The following gross density guidelines will be accommodated within Downtown residential areas:

Low Density

Single detached	25 units/hectare
Semi-detached	38 units/hectare
Row Houses	60 units/hectare

Medium Density

Stacked Townhouses	125 units/hectare
Low Rise Apartments	150 units/hectare
Mid Rise Apartments	300 units/hectare

- c) The existing residential areas within and adjacent to the Downtown will be maintained by ensuring:
- Community services, facilities and parks will be provided;
 - Retention of existing residential structures will be supported unless a redevelopment application has been approved for the site.
- d) Retention and adaptive reuse of existing heritage and industrial buildings for residential use is a priority within the Downtown. Land use regulations and special programs will support conversion of existing structures subject to the following:
- Significant structures or structural elements will be maintained;
 - Additions will be compatible with the existing structure in terms of relationship to the street, front setbacks, architectural form and massing;
 - Parking standards will be reviewed to ensure that reuse of existing structures is not compromised.
- e) Intensification and infill projects will be consistent in design with the grid street pattern and architectural character of existing residential areas in the Downtown and adjacent neighbourhoods.
- f) In order to encourage consistency of neighbourhood character and design, specific policies have been developed for residential precincts adjacent to the Beasley (Area A), Central (Area B) and Corktown (Area C) neighbourhoods as shown on Schedule "L-6".

2.4.6.3 Specific Residential Policies

The Secondary Plan designates three categories of residential development:

- Low Density
- Medium Density
- Mixed Use Development

Lands designated for these residential uses are shown on Schedule "L-1" for the areas identified on Schedule "L-6".

2.4.6.3.1 Policies for Low Density Areas

- a) The Low Density designation includes single detached, semi-detached and row houses.
- b) Low density residential development will achieve a traditional downtown urban residential neighbourhood character by:
 - Front yard setbacks consistent with the building line of other adjacent properties on both sides of the street;
 - Lot width, depth and area generally consistent with adjacent properties in existing neighbourhoods in and near the Downtown;
 - Building lines for redevelopment of large properties that are consistent with the design standard in adjacent neighbourhoods;
 - Individual garages or parking areas at the rear of the building accessed by alleys or side drives where available;
 - Street, lane and lot patterns based on the traditional grid pattern found in the Downtown and adjacent neighbourhoods.

2.4.6.3.2 Policies for Medium Density Areas

- a) The Medium Density Designation accommodates stacked townhouses, low rise apartments and mid rise apartments.
- b) Medium Density development will achieve an urban character by:
 - Street oriented buildings restoring traditional downtown character.
 - An absence of direct driveway accesses to individual units.
 - Open space in new development provided in the form of parkettes and internalized semi-private open spaces within courtyards formed by buildings.
- c) Surface parking areas in the Medium Density areas will be located at the rear of the property or in an underground structure. There will be no surface parking in the front yard adjacent to the street.
- d) The relationship between buildings and the street will be reinforced by:
 - Minimizing the shadowing of adjacent sidewalks and generation of wind impacts;
 - Ensuring that the ground levels of buildings have windows and doors that face the street.
- e) The design of new developments will have consideration for light, view and privacy of adjacent buildings and areas. Existing patterns of streets, lanes, blocks and private or public open space will be respected.

2.4.6.3.3 Policies for Mixed Use Areas

- a) Mixed-Use Areas are intended to serve as a buffer between intensive commercial activities and the residential areas within and around the Downtown.
- b) Mixed-Use Areas will accommodate commercial uses that are compatible with and will not detract from residential development.
- c) Residential development in Mixed-Use Areas will conform to the Medium Density policies of this Plan.
- d) Commercial development in Mixed-Use Areas will conform to the Prime Retail Streets policies of this Plan.
- e) Signage will be designed and located in a manner that respects the architectural integrity of the host building and is compatible with the residential environment. Signage in these areas shall be non-flashing, shall be restricted to the building face, and shall exclude stand-alone structures for signs.

2.4.6.3.4 Policies for Specific Residential Precincts

The following policies apply to three residential precincts within the Downtown that contain significant tracts of vacant land. The three precincts are depicted on Schedule "L-6" and the policies must be read in conjunction with the other residential policies in this Section.

2.4.6.3.4.1 Area A Northeast Residential Precinct

This Area is adjacent to the Beasley Neighbourhood and is currently dominated by surface parking lots. Over time, these parking lots will be removed and replaced with low-to-mid-rise residential development, with commercial and retail on the ground floor. New development should have an urban form featuring street oriented buildings that restore the traditional character of the Downtown area.

- a) Surface parking will be located at the rear of buildings, with access through a common mid-block driveway/alley system. Direct driveway access from the street to individual units will be strongly discouraged.
- b) Required open space within new private development may be provided in the form of new parkettes and internalized semi-private open spaces within courtyard areas created by new buildings.
- c) In order to create an appropriate living environment, certain higher-intensity commercial and entertainment uses for lands adjacent to the King William Street Specialty Commercial Area may be permitted. These uses will be evaluated to

ensure that any negative spillover effects on existing or planned residential uses are eliminated or minimized.

- d) The following policies will apply to building alterations or the redevelopment of a site:
- The height of new buildings and additions shall be low-to-mid rise, in accordance with Schedule "L-3", in order to maintain and enhance pedestrian comfort at street level.
 - Building height may be increased above the normally permitted height, provided the project is massed as to achieve a compatible relationship with adjoining buildings and public spaces.
 - Signage will be designed and located to respect the architectural integrity of the host building and to be compatible with a residential environment.

2.4.6.3.4.2 Area B Northwest Residential Precinct

This Area is adjacent to the Central Neighbourhood.

- a) All new housing in the interior of Area B and fronting onto local streets will be limited to Low-Density uses.
- b) The following policies will apply to Mixed Use development on the north side of York Boulevard, the west side of Bay Street and the Jackson Square Complex (for any mixed use redevelopment):
- All new buildings will be built to the street line. Additional setbacks may be permitted to accommodate amenities such as enhanced landscaping, additional open space or provision of outdoor cafes;
 - The street frontage of new or redeveloped buildings will be dominated by street oriented retail, restaurant or entertainment uses;
 - Commercial or residential uses will be permitted in the upper stories.
 - Surface parking lots will not abut the York Boulevard frontage.
 - High-rise buildings will be allowed in accordance with the maximums contained on Schedule "L-3".
- c) Mixed Use development along the south side of York Boulevard, west of Bay Street, will be mid-rise in accordance with Schedule "L-3". A mix of commercial and residential uses with at grade retail geared to needs of area residents will be accommodated.

2.4.6.3.4.3 Area C Southeast Residential Precinct

This Area is adjacent to the Corktown Neighbourhood.

- a) Mid-rise development will be accommodated in the western portion of this Area in accordance with Schedule "L-3".
- b) All new development will be built to the streetline. Additional setbacks will only be permitted to accommodate added street planting, wider sidewalks or other pedestrian amenities.

2.4.7 Enhancing Streets and Public Spaces

Streets, parks and plazas provide the structure for urban areas – they are the foundation of the city. Downtown Hamilton retains important public spaces with many opportunities for new amenities. The historic grid street pattern is largely intact and there are significant and important streetscapes like Ferguson Avenue and King Street through the Gore. The creation of better pedestrian spaces in balance with the needs of vehicles is a key element of this Plan. Well designed streetscapes, with buildings that frame the street environment, contribute to an overall improved sense of place in downtown.

Great cities provide gathering points for their residents. These are places that help define the community and provide stimulating and unique experiences for Downtown residents, workers and visitors. The state of parks, open spaces and plazas sends an important message about community values and pride. Vibrant parks and public spaces enhance the value of properties in their vicinity. Investment in this public realm is a key priority in the Downtown and benefits the many underutilized or undeveloped properties.

Streets are critical public spaces. They also accommodate the transportation system for Downtown Hamilton. This Plan seeks to provide a network of attractive streets that balances the movement and safety of all types of vehicles with the comfort and safety of pedestrians. The street network provides important linkages between the Downtown and adjacent neighbourhood, the Waterfront, the Niagara Escarpment and the other areas of the City.

Private development in the Downtown will be designed to complement the public realm by providing direct connections between private and public spaces and locating buildings and structures so that they frame the boundaries of public areas.

2.4.7.1 Secondary Plan Objectives

- ✓ Establish an overall plan to increase the pedestrian amenity and overall civic image of the streets and open spaces in the Downtown;
- ✓ Identify priority streets for specialized treatment;
- ✓ Establish linkages to the Waterfront, the Escarpment and other parts of the City;
- ✓ Establish new locations and policies for parks and open space in the Downtown;
- ✓ Identify the key civic spaces
- ✓ Establish a high standard of design in public spaces as a model for private sector initiatives.

2.4.7.2 Policies for Streets and Public Spaces

2.4.7.2.1 Streets

- a) The Downtown Transportation Master Plan is the primary policy document for vehicular traffic, (including cars, public transit and cyclists) parking, and pedestrian systems in the Downtown. All plans and improvement programs for Downtown streets including street reconstruction and public improvements must conform to this Secondary Plan and the Downtown Transportation Master Plan.
- b) Development and redevelopment of the Downtown will support the use of public transit in accordance with Provincial Policy.
- c) The historic grid street pattern in Downtown Hamilton is to be retained or restored through the following measures:
 - Re-opening streets, lanes and alleyways that have been closed; where feasible;
 - Ensuring that all new development supports or incorporates a grid street pattern;
 - Acquiring land for public lane and street purposes through the development and redevelopment of sites in the Downtown.
 - Designing new streets with block faces extending from 90 to 120 metres.
- d) Walking accounts for more daily trips in Downtown Hamilton than any other mode of transportation. All streets in Downtown Hamilton will provide a safe pedestrian realm through appropriately designed sidewalks, provision of Urban Braille, landscaping, seating areas, transit shelters and other amenities. The extent to which these amenities can be incorporated may vary from street to street.

- e) Provision of on-street parking will be a priority in the Downtown. Designs for street improvements will maximize opportunities for on-street parking. The requirements for public transit stops and the effect on transit route travel times will be reviewed prior to establishing additional on-street parking.
- f) Where residential uses abut a street enhanced landscaped boulevards will be provided where possible.
- g) Alleys provide important access to many properties in the downtown. Properties with alleyway access may use such access for property access, in lieu of street access. Alleys will be utilized where direct street access would compromise other objectives of this plan. In addition, the following policies shall apply to alleys in the downtown:
 - i. Existing public alleys will be maintained as public rights of way;
 - ii. The City will not support closure of a public alley unless private development adjacent to the alley can be serviced from the public street without compromising the design objectives of this plan, relative to streets, heritage buildings, and urban design.
- h) Streets in Downtown Hamilton have been classified for urban design purposes as a guide to the planning and construction of public improvements to streets and sidewalks. The three classifications are Mobility Streets, Traditional Streets and Local Streets as shown on Schedule "L-7".
- i) Approximately half of all motor vehicle trips in the Downtown are through-trips with the origin and destination of the trip outside the Downtown. The streets that primarily accommodate this type of traffic, in addition to local trips and trips starting or ending in the Downtown, have been identified as **Mobility Streets** in this Plan. The key traffic and transit roles of these streets will be reflected in designs for public improvements. Mobility Streets will accommodate either one-way or two-way traffic movements and will provide safe movement for pedestrians and cyclists. The following are Mobility Streets:
 - Bay Street
 - James Street
 - Main Street
 - King Street
 - York Boulevard/Wilson Street
 - Cannon Street
 - Queen Street
 - Wellington Street
 - Hunter Street
- j) A second group of streets, called **Traditional Streets**, provide key linkages to the buildings and activities of the Downtown and connections to the Mobility Streets.

Traditional Streets will primarily accommodate traffic destined to, or out of, the Downtown and local trips as well as providing enhanced pedestrian comfort at street level. The following are Traditional Streets:

- Hess Street
- Caroline Street
- Jackson Street
- King William Street
- Hughson Street
- Catharine Street
- Ferguson Avenue
- George Street

- k) Remaining Downtown streets not designated as either Mobility Streets or Traditional streets are considered Local Streets. Access to businesses or residences, on-street parking and pedestrian movement take priority over traffic movement on these streets. Traffic calming will be utilized where it will enhance the quality of the residential street.
- l) Street master plans shall be completed for the entire length of all Mobility and Traditional Streets within the context of an overall urban design and public realm enhancement perspective for Downtown Streets, as identified in policy 2.4.4.3.1c). Landscaping elements to be addressed include transit shelters, public signage, seating areas, vegetation and lighting. A description of the design function and objectives for Mobility and Traditional Streets is provided in Tables 1 and 2.
- m) Reclaiming space for enhanced sidewalk width will be completed as development occurs. The City may, at its discretion, require dedication of private land or an easement on private land, to enhance the public realm, and the sidewalk, on downtown streets. Any land utilized for public realm enhancements will be included in the density calculations for the private development. The landscaping plan for the private development shall include improvements in the boulevard that shall be constructed by the private developer.
- n) Implementation of the Ferguson Avenue Master Plan for streets and public spaces will continue along the corridor within the Ferguson Avenue Revitalization Area. Land Use within this Revitalization Area will be as designated in this Secondary Plan.
- o) A series of gateway features will be located at key entrance points to the Downtown. Proposed Gateway locations are shown on Schedule "L-7". Gateway features will be incorporated into site plans for new private developments or public improvement projects and will conform to the requirements of site-specific traffic operations and planned changes in the Downtown Transportation Plan. Gateway features established

on public land or incorporating public art shall be subject to the Municipal Public Art Policy. Gateway features will include one or more of the following:

- Landscaped feature;
 - Landmark buildings;
 - Decorative structure(s).
- p) Construction of new elevated walkways over public streets to link second storey users will not be permitted in the Downtown.
- q) Road widenings should not compromise the streetscape or individual buildings.
- r) Any proposal to establish a transit terminal facility or consolidate Downtown transit transfer points will be subjected to a comprehensive impact assessment and design process in accordance with the Downtown Transportation Plan. Downtown stakeholders and residents will be invited to participate in this planning process.

2.4.7.2.2 Public Open Spaces

- a) The Public Open Space designation includes parks, other open spaces and civic squares. Existing and proposed public open spaces are identified on Schedule "L-1". These spaces are intended for passive recreational use and special public activities and events. No new development or expansion of existing development into these areas will be permitted.
- b) A high standard of design of all public open spaces shall be achieved to promote comfort, safety, enjoyment, accessibility, a sense of nature and usability. New parks and public open spaces shall be sited and designed to provide these qualities.
- c) Public open spaces are to be located close to public streets, bicycle paths, and pedestrian routes in order that they may be easily viewed and entered by the public. Public open spaces are to be designed in a manner that readily identifies them as part of the public realm and which provides ready physical access to facilities for all members of the public.
- d) Development and redevelopment for residential, commercial, and industrial development or redevelopment will contribute to the creation of public spaces in downtown Hamilton. The City will, through a separate study and municipal by-law, specify the method of contribution, in accordance with the following:
- i. allocation of property or a cash-in-lieu payment for a percentage of land area for residential, commercial, and industrial development;
 - ii. allocation of property through a units per hectare basis for residential development.
- e) Public Open Spaces will be designed to meet the needs of area residents, daytime use by downtown workers, and evening use by visitors to the downtown.
- f) Public open spaces will be designed to urban standards characterized by:

- Direct at grade access to the streets on which they front with identified pedestrian access points;
 - Continuity of design between the public spaces, the streets that surround them, and the buildings that face them;
 - The identification of clearly defined pedestrian access routes from surrounding areas using streets;
 - Adjacent on street parking where feasible with on-site parking discouraged, particularly at street level.
- g) The City will undertake a study of the planning area, west of Bay Street, to identify opportunities for the development of an urban plaza.

2.4.7.2.2.1 Public Art

Every year public dollars are invested in improvements to the streets and spaces of the Downtown. New lighting, seating, special signage and landscaping or decorative features have been used to enhance the places where people gather.

Public and private improvement projects can also create features that tell us something about our City's culture and history or indicate that a particular location in the Downtown has special meaning. Special features of this kind are regarded as public art and provide an opportunity to involve the City's artistic community in their design. Public art projects can become major attractions in a Downtown. Many cities have decided to encourage artistic endeavour and the creation of special spaces by requiring that a portion of all funds used for public improvements be committed to public art.

- a) Public improvement projects in the Downtown will allocate 1% of the project budget to the City's Public Art Program for use in the Downtown.
- b) The provision of publicly accessible art in private development shall be supported through measures such as density increases. Such increases shall conform to the overall policies and design objectives of this Plan and shall be detailed in the Zoning By-law.
- c) Public Art shall be included in the overall design and context of development to ensure it has an appropriate siting and location.

2.4.8 Establishing a New System for Development Approvals

In 1995 changes to the Ontario Planning Act created a new planning tool called a Development Permit. Development Permits combine three existing approval processes, zoning, site planning and minor variance into one process. Development permits are

intended to streamline approval and allow greater flexibility in the design of new projects. Portions of Downtown Hamilton have been selected as a pilot location for testing of the Development Permit system. This Secondary Plan provides policy direction for lands lying outside and within the Development Permit Area (DPA).

If monitoring and evaluation of this pilot indicates that the Development Permit system achieves its objectives the Development Permit Area may be expanded to include a wider area.

2.4.8.1 Secondary Plan Objectives

- ✓ Implement the Development Permit System within Downtown Hamilton to streamline approval processes and foster innovative design;
- ✓ Establish ongoing initiatives to inform the community about the new System and assist proponents in understanding and using it;
- ✓ Monitor and evaluate the Development Permit System to determine whether it can be applied elsewhere in the Downtown.

2.4.8.2 General Policies for the Downtown Development Permit Area

- a) Lands within the boundaries of the Downtown Development Permit Area show on Schedule “L-1” to this Secondary Plan are designated as a Development Permit Area in accordance with Section 70.2 of the Ontario Planning Act and subject to the provisions for Development Permit Areas contained in the City’s Official Plan. The policies applicable to lands within this area will be implemented through development Permits. Changes to the boundaries of the Downtown Development Permit Area will be achieved by amendment to the Plan.
- b) The City will enact a Development Permit By-law for this area in accordance with Sections 34 and 70.2 of the Planning Act. Conventional zoning, minor variance and site plan control mechanisms will not apply within the Development Permit Area. All development within this area requires a Development Permit except for classes of development, which are exempted from this requirement by the Development Permit By-law.
- c) Lands within the boundaries of the Downtown Development Permit Area are shown on Schedule “L-1”. The Downtown Development Permit Area (DPA) is further subdivided into four sub-areas as shown on Schedule “L-4”. Specific policies have been developed for each of these sub-areas.

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- The Courts DPA
 - The Gore DPA
 - The Lister DPA
 - Rebecca/Wilson DPA
- d) The City may consider amendments to the Development Permit By-law to increase permitted heights in order to encourage the retention of heritage buildings, facilitate the clean-up of contaminated sites or promote the creation of additional housing opportunities in the Rebecca/Wilson Area
- e) In order to assess a proposed increase in height applicants may be required to submit a sun/shadow analysis, a wind impact analysis, and/or a visual impact analysis as part of the Development Permit approval process.
- f) The City will undertake ongoing monitoring of activities within the Downtown Development Permit Area. Where issues require further study and/or regulation, amendments to this Plan and the Development Permit By-law will be undertaken.

2.4.8.3 Policies for Development Permit Sub-Areas

2.4.8.3.1 Courts Development Permit Sub-Area

The Courts Development Permit Area describes the north and south sides of Main Streets from the east side of James Street to the west side of Catharine Street as shown on Schedule “L-4”. There are several important public buildings in this area including the John Sopinka Courthouse and the former Wentworth County Courthouse. The plaza in front of the former Wentworth County Courthouse is the most important public space in this DPA.

- a) Main Street contains a number of prominent buildings and public spaces, including the former Wentworth County Courthouse, which will be maintained and enhanced. Corner sites adjacent to the Courthouse Square are to be built out to the street line to frame and define this important public space. Development of the corner sites will address impacts on existing or proposed public transit stops.
- b) Vacant parcels in this area shall be developed as mixed use, mid-rise buildings to strengthen Main Street’s image as a primary residential and commercial avenue within the Downtown. Office, institutional, residential and retail uses will be accommodated in this area. The following policies will apply to building alterations or the redevelopment of a site:
- The height of new buildings and additions shall be mid-rise, for that portion of the property directly adjacent to or facing the Courthouse Square, in order to minimize any sun, shadow, or wind impacts on the Courthouse Square and

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to avoid any adverse sun shadow, wind, or visual impacts on the adjoining Gore area.

- New buildings and additions will reinforce the traditional building line fronting on the Courthouse Square.
 - The height of these buildings or additions will not exceed the height of the existing John Sopinka Courthouse at the street level.
- c) The permitted height may be increased above the normally permitted height, provided the height is massed so as to achieve the following:
- The additional height above the normally permitted height will not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study and will not introduce wind impacts on the public sidewalks on the north side of Main Street, the Courthouse Square, Gore Park or the and the intersections of Main Street and Hughson Street and Main Street and John Street;
 - The additional height will be stepped back or terraced above the normally permitted height for buildings directly adjacent to or facing the Courthouse Square and will not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study on the public sidewalks on the north side of Main Street, the Courthouse Square, Gore Park or the and the intersections of Main Street and Hughson Street and Main Street and John Street;
 - The additional height above the normally permitted height will not result in any adverse wind impacts on the Main Street public sidewalks, the Courthouse Square, Gore Park or the King Street public sidewalks; and,
 - In addition to the foregoing, the City may permit an increase in height above the normally permitted height for decorative building elements such as towers or cupolas, provided that there are the additional height does not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study and will not introduce wind impacts on the public sidewalks, the Courthouse Square or Gore Park and that the proposed building element will maintain a harmonious relationship to adjoining buildings and to the building itself;
 - Sun shadow impacts are measured on March 21st for the target areas of the public open space in front of the Wentworth County Courthouse and the north sidewalk on Main Street East.
- d) All redevelopment of the former Wentworth County Courthouse will comply with the policies of this Plan and more specifically:
- The open space area will be maintained, including the pedestrian pathways;

- The massing of the building will be consistent with the massing of the former Wentworth County Courthouse;
 - Redevelopment proposals will be subject to architectural peer review.
- e) Signage will be designed and located to respect the architectural integrity of the host building.

2.4.8.3.2 Gore Development Permit Sub-Area

- a) The Gore DPA describes the area immediately surrounding Gore Park as shown on Schedule “L-4”. For over 150 years ‘The Gore’ has been the most important open space and public gathering place in Downtown Hamilton. The park, the adjacent sidewalks and streets define the open space. The surrounding buildings form the “walls” of The Gore. New development and redevelopment shall maintain the historic role and character of this space.
- b) The City will retain and enhance the public open space attributes of Gore Park and the streetscape. The historic components of the Park will be retained, enhanced and restored. Streetscape improvements on the public rights-of-way and adjacent to privately owned lands will be undertaken in a manner contributing to the open space attributes of the Gore area.
- c) The following policies apply to building alterations, development and redevelopment projects for the Gore area:
- i. Buildings will be located along the front property line in order to provide a consistent frame for Gore Park and to retain the traditional building line. To that end, encroachments into the road allowance for outdoor dining areas may be permitted subject to applicable agreements.
 - ii. Limited articulation of the front facades may be permitted in order to create sheltered areas at ground level or to allow for incorporation of architectural design element provided that the sense of enclosure is maintained and that the articulation does not detract from the retention of the traditional building line.
 - iii. Buildings will be constructed to the side lot line in order to maintain the sense of enclosure and avoid gaps in the streetscape. The City may permit upper stories of the building to be stepped back or terraced from side lot lines providing that the sense of enclosure is maintained, that resulting building design harmonises with adjacent structures and that no adverse wind conditions are created.
 - iv. The height of new buildings and additions will be consistent with the traditional street wall defined by existing buildings as a height of 3-6 storeys at the street line.
 - v. Permitted heights may be increased provided that the upper storeys are stepped back or terraced so as to achieve the following:

- Additional height will not result in adverse shadow or wind impacts on the King Street sidewalks as compared with the impact of a six-storey building.
 - Permitted heights may be increased for decorative building elements such as towers of cupolas provided the increase does not result in any of the adverse effects noted above.
 - Sun shadow impacts are measured on December 21st for the target areas of the north sidewalk on King Street East.
- d) Buildings will incorporate ground level pedestrian access to uses open to the public, windows and doorways that allow views into the building from the street and loading and services facilities at the rear of the structure.
- e) In order to maintain the architectural and heritage character of The Gore, the facades of new buildings and additions facing Gore Park will:
- i. Utilize traditional materials of stone, wood or brick. Other materials may be used provided that the resulting building design maintains a harmonious relationship with adjacent buildings;
 - ii. Reflect or complement the traditional patterns of fenestration, masonry units and decorative features of the upper stories.
- f) Design and location of signage will respect the architectural integrity of the host building. Awning signage will be encouraged.
- g) The Gore area is part of the larger Downtown Community Improvement Area. The approved Community Improvement Plan will be implemented to support enhancements to public spaces and the facades of historic structures.

2.4.8.3.3 Lister Development Permit Sub-Area

The Lister DPA is a specialty retailing and urban entertainment area shown on Schedule "L-4". Redevelopment in this area should contribute to the existing street façade and uses. All proposals for development or redevelopment within the Lister DPA will be subject to the policies in this section.

- a) The Lister Block, at the northeast corner of King William Street and James Street North should be adapted for a variety of new at grade uses, with residential uses, live-work lofts or offices in the upper storeys. All development or redevelopment of the Lister Block will incorporate the original façade and its component materials and the historic entrance of the building at the corner of King William and James Streets.
- b) Future development at the Southeast corner of King William Street and James Street North should maintain and enhance pedestrian comfort at the street level.

- c) The revitalization of existing vacant stores is encouraged along the east side of James Street North to create an active, pedestrian-oriented area. The Prime Retail Streets policies of this Plan will apply to these properties.
- d) New mixed-use development is encouraged through loft conversions of existing industrial and warehouse buildings and through new buildings on existing vacant lots/surface parking lots.
- e) The height of new buildings and additions will be consistent with the traditional street wall established by existing buildings and, therefore, should maintain a height of 3-4 storeys at the street line, with the potential for decorative higher building elements stepped back from the street line.
- f) The following policies will apply to building alterations or the redevelopment of a site:
 - i. The building will be situated along the front property line in order to provide an uninterrupted building line.
 - ii. The height of new buildings and additions at the street line should be low-to-mid rise in order to maintain and enhance pedestrian comfort at street level.
 - iii. The permitted height may be increased above the normally permitted height, provided the upper storeys are stepped back or terraced so as to achieve the following:
 - The additional height above the normally permitted height will not exceed the preferred sun access as prescribed in the Downtown Hamilton Sun/Shadow Study;
 - The additional height above the normally permitted height will not result in increased wind impacts on the public sidewalks; and
 - The additional height should not result in a height and scale that dominates the landscape and skyline, including views from the Gore Park area.
 - The additional height will incorporate the use of reflective materials to minimize the scale and massing of the building;
 - Sun shadow impacts are measured on March 21st for the target areas of the north sidewalk on King William Street and the west sidewalk on James Street North.
 - iv. In addition to the foregoing, the City may permit an increase in height above the normally permitted height for decorative building elements such as towers or cupolas, provided that there are no adverse shadow or wind impacts on the public sidewalks and that the proposed building element will maintain a harmonious relationship to adjoining buildings and to the building itself.
- g) The building will incorporate ground level pedestrian access that will include the following: uses open to the public/accessibility from ground level including

doorways and windows. Where possible, residential service areas should be designed to integrate with commercial retail/service space.

- h) Despite the foregoing, residential uses may be permitted on the ground floor of a building where required to accommodate residential lobbies and service areas. Where possible, residential service areas should be oriented away from the front building façade.
- i) Signage will be designed and located to respect the architectural integrity of the host building. Awning signs will be encouraged.

2.4.8.3.4 Rebecca/Wilson Development Permit Sub-Area

The Rebecca/Wilson DPA is currently dominated by surface parking lots. Over time, these parking lots will become more viable for low-to-mid rise residential development, with mixed uses on the ground floor, particularly those properties fronting onto Wilson Street.

- a) New development should have an urban form featuring street oriented buildings that restore the traditional character of the Downtown area.
- b) Accessory surface parking will be located at the rear of buildings, with access through a common mid-block driveway/alley system. Direct driveway access to individual units will be strongly discouraged.
- c) Open space within new development may be provided in the form of new parkettes and internalized semi-private open spaces within courtyard areas created by new buildings.
- d) A new neighbourhood park will be developed in the Rebecca/Wilson Area. The amount of amenity space provided within adjacent residential development may be reduced in recognition of the proximity of this park. A parking strategy review will be undertaken for this area to balance the open space and parking needs for the Rebecca/ Wilson area.
- e) In order to create an appropriate living environment, certain higher-intensity commercial and entertainment uses may be permitted only if the City is satisfied that such uses have been designed and located in such a way as to minimize any negative impacts on existing or planned residential uses.
- f) The following policies will apply to building alterations or the redevelopment of a site:
 - i. The height of new buildings and additions should be low-to-mid rise in order to maintain a pedestrian scale along the public streets.
 - ii. The permitted height may be increased above the normally permitted height, provided the height is massed as to achieve a harmonious relationship with adjoining buildings, public spaces, and any planned development.

- iii. The development must comply with the Medium Density Residential policies of this plan.
- iv. Signage will be designed and located to respect the architectural integrity of the host building and to be compatible with a residential environment.

2.4.9 Implementation

2.4.9.1 New Zoning and Signage Regulations

- a) The City of Hamilton will create new regulation for zoning and signage in Downtown Hamilton in conformity with this Plan.

2.4.9.2 Municipal Budget

- a) The City will prepare a capital budget outlining the following:
 - Short, Medium, and Long Term capital projects arising from this plan;
 - Cost estimates for the capital projects identified above;
 - Special Studies and Projects arising from this plan, including timing for completion and their estimated cost.

2.4.9.3 Catalyst Projects

In the world of chemistry, a catalyst is a substance that speeds up a process of change. The term can be applied to certain initiatives in Downtown Hamilton. This Secondary Plan identified a number of design or public improvement initiatives. Within this group are a number of ideas that warrant immediate consideration because of their potential to demonstrate positive change in a short time period. The catalyst projects are projects to be undertaken by the City of Hamilton, to demonstrate two key strategies from this plan: Leadership in Downtown and Excellence in Public Spaces.

2.4.9.3.1 Leadership in the Downtown

- a) The City of Hamilton commits to being a leader in Downtown Hamilton's issues. The City will promote Downtown through the following actions:

- i. Establish a Design Committee for Architectural Peer Review – This will contribute to an overall improved design in both private and public development in downtown Hamilton.
- ii. Establish the Annual Downtown Community Builder Awards – These awards are for individuals, groups, and organizations that contribute to the positive growth and development of downtown Hamilton through building the downtown community and through downtown design.
- iii. Be a catalyst for development – The City will develop a downtown property database that includes an office inventory, land available for development and redevelopment.

2.4.9.3.2 Excellence in Public Spaces

- a) The City of Hamilton is a major landowner in downtown Hamilton. The City's responsibility as a landowner is the public realm - the look of the City, the design of its public spaces, and the image of the City. The City's commitment to excellence in public spaces is a key component. So too is the City's commitment to development that is built within the policies of this Plan, the Downtown Transportation Plan, and the Design Strategy for Downtown Hamilton. The following projects are important steps to establishing the City's commitment, and achieving its goals:
 - i. City Hall Forecourt/Art Gallery – Hamilton City Hall is the seat of local government in the City. The City Hall forecourt and the Art Gallery's court on Commonwealth Square are the major opportunity for a redesigned public space in downtown Hamilton. An integrated study, and development, is the key statement of the importance of public spaces in downtown Hamilton, and the City's commitment to excellence in design.
 - ii. Conversion of James Street and John Street – City Council has approved the conversion of portions of James and John Streets to two-way traffic. This project is a key opportunity to redesigning the public realm of major streets in downtown Hamilton – to meet the needs of vehicles, pedestrians, businesses, and the private realm.
 - iii. City Places – Phase II – Construction of this project at King and Walnut is an excellent showcase for the Prime Retail Streets policies of this plan. Equally as important, this project demonstrates how new housing can be successfully built in downtown Hamilton and how the public and private realms are integrated.
 - iv. Farmer's Market Study – The Hamilton Farmer's Market is one of the key features of downtown's uniqueness. An integrated study on the market's location, design, and access, and need, and a commitment to implementation

will establish the importance of the Farmer's Market as an economic and public use in downtown Hamilton.

- v. Gore Park Management Strategy – Gore Park is the prime public open space in downtown Hamilton. It is essential to the long-term health of the downtown that there is a strategy for Gore Park that includes broad-based community consultation and support.
- vi. Downtown Parking – Several studies have identified the need for the City to address the parking issues in downtown Hamilton. Implementing the parking strategy from the Downtown Transportation Plan will be the first major step towards addressing the downtown parking issues and working to take underutilized land to its highest and best use.
- vii. Harbour Linkages – Hamilton's waterfront is one of the prime areas of the City. Linking Hamilton Harbour to downtown Hamilton has begun with the Ferguson Avenue Master Plan. Continuing this work so that there are continuous pedestrian and vehicular linkages is key to achieving the public realm goals of this plan, the bringing of the community to the downtown, and downtown's relationship to the broader City.
- viii. Downtown Transit Terminal – A well located, easily accessible main transfer and layover point for the City's public transit system will make public transit an attractive mode of travel for downtown residents, workers, and visitors. The needs of HSR must be addressed at an early stage in the redevelopment of the downtown if public transit is to play a meaningful role in reducing the volume of auto traffic using the downtown street network.

2.4.10 Information Tables

2.4.10.1 *Table 1 – Mobility Streets*

Mobility Street	Design Functions	Design Objectives
Bay Street	• Key linkage from Niagara Escarpment to Waterfront	• Widen public sidewalk where feasible. • Strengthen pedestrian linkages to east-west streets, key transit nodes and the Central Business District.
Cannon Street	• Primary east-west link on north side of Downtown • Serves a mix of residential and commercial areas within the Downtown	• Recognize through traffic needs • Establish safe pedestrian environment with appropriate separation from vehicles
Hunter Street	• Provides alternative east-west route on south side	• Improve pedestrian environment on east-west route

Mobility Street	Design Functions	Design Objectives
	- of Downtown - Provides important pedestrian linkages from major north-south streets to Hamilton GO Centre	Improve north-south pedestrian connection to Gore Park
James Street	- Primary north-south street within the Central Business District - One of two Prime Retail Streets in the Downtown - Provides key pedestrian and traffic linkage to the Harbour and Escarpment	- Widen public sidewalks where feasible - Strengthen pedestrian linkages to east-west streets, transit hubs - Provision of additional on-street parking where feasible - Protection of views southward along James Street toward the Escarpment
King Street	Along with James Street one of two prime retail streets	- Widen public sidewalks where feasible; maintain north sidewalk in sun - Strengthen pedestrian linkages to east-west streets and north-south streets to transit hubs - Provision of additional on-street parking where feasible
Main Street	Primary east-west through route on south side of Downtown Escarpment	- Recognize through traffic needs - Establish safe pedestrian environment with appropriate separation from vehicles - Strengthen pedestrian linkages to east-west streets, transit hubs - Provision of additional on-street parking where feasible
Wellington Street	Mountain Access Route	- Recognize through traffic needs - Establish safe pedestrian environment with appropriate separation from vehicles
York Blvd./Wilson Street	- Key entry route and Gateway into the Downtown from 403. - Primary through route on north side of Downtown	- Recognize through traffic needs - Establish safe pedestrian environment with appropriate separation from vehicles

2.4.10.2 Table 2 – Traditional Streets

Traditional Street	Design Functions	Design Objectives
Caroline Street	• Important pedestrian linkage between Downtown, the waterfront and adjacent residential areas	• Provide pedestrian amenities along length of street • Partner with Bd. Of Education to extend pedestrian route through Sir John A. Macdonald site.
Catharine Street	• Neighbourhood linkage	• Improve vehicular/pedestrian separation • Provide improved pedestrian amenities
Ferguson Avenue	• See Ferguson Avenue Master Plan	• See Ferguson Avenue Master Plan
George Street	• Supports commercial activities along George • Key pedestrian linkage Hess Village and the Central Business District	• New development should address the street directly and provide at grade access. • Public improvements should be consistent with recent Hess Village improvements.
Hess Street	• Hess Street supports the Hess Village Speciality Commercial Area • Provides a linkage to the Waterfront area and adjacent neighbourhoods	• Within Hess Village the street will receive speciality treatment to recognize its commercial role. • Pedestrian amenities as feasible should be provided on remaining portions
Hunter Street	• Major east-west route in south side of Downtown • Links Durand and Corktown neighbourhoods • Provides pedestrian and vehicle access to GO Centre.	• Landscaped area on north side of Hunter between James and Catharine Street will be maintained and retained in redevelopment proposals. • Street improvements should provide greater separation between pedestrians and vehicles, particularly west of James Street.
Hughson Street	• Key north-south pedestrian route GO Centre and commercial areas to the south • Links GO Centre to Gore Park • Links Gore Park to new public spaces at Wilson • Linkage between Gore Park and the Hamilton GO Station	• Protect view from GO Centre to Gore Park • Create special pedestrian crossing at Hunter Street • Introduce pedestrian amenities along entire route • New development to provide direct, at grade access to street • No blank facades along street
Jackson Street	• Key pedestrian and vehicle route on south side of Downtown.	• Recreate public street Bay and MacNab • Integrate Jackson Street design with

Traditional Street	Design Functions	Design Objectives
		City Hall Forecourt on the east side of Bay Street
King William Street	• Focus of the King William Speciality Commercial Area • Supports King Street Prime Retail Area • Will link new neighbourhood park at John and Rebecca with adjacent residential and commercial uses adjacent residential areas	• Surface parking along street will not be accommodated. • Pedestrian amenities should be introduced along entire length of street Improve pedestrian environment on east-west route • Improve north-south pedestrian connection to Gore Park

13) Subsection A.2 – Land Use Concept:

Revise existing Subsection A.2, the last paragraph, by deleting the words “the central area”, in the first line, and inserting the words “Downtown Hamilton”, so that the entire last paragraph reads as follows:

- “Promote Downtown Hamilton as the major multi-use focus of community life and commerce for the City and Region, supplemented by two sub-regional centres having a similar commercial function, but smaller in scale, at other locations.”

14) Subsection A.2.2 – Commercial Uses

Revise the preamble to Subsection A.2.2 – Commercial Uses, the third paragraph, by deleting the phrase “The Central Policy Area” in the first line, and replacing with the words “Downtown Hamilton.”; and,

Revise the preamble to Subsection A.2.2 – Commercial Uses, the third paragraph, by deleting the phrase “Subsection A.2.8 Central Policy Area” in the last line, and replacing with the phrase “Subsection A.2.4 Downtown Hamilton.”, so that the entire third paragraph reads as follows:

“Downtown Hamilton is recognized as the highest level in the COMMERCIAL hierarchy and is promoted as the principal retail centre for both the City and the Region, offering the widest range of goods and services. Due to the diversity in land uses within Downtown Hamilton, specific policies are articulated in Subsection A.2.4, Downtown Hamilton.”

15) **Policy A.2.2.2**

Revise existing policy A.2.2.2 by deleting the phrase “the Central Policy Area” in the second and fourth lines, and replacing with the words “Downtown Hamilton”, so that the entire policy reads as follows:

2.2.2 “Council recognizes that the COMMERCIAL structure of the City operates within a hierarchy of categories ranging from Downtown Hamilton (which, as defined by the Regional Official Plan, is intended to function as the “Regional Centre”), to Local Commercial Uses of a convenience type. Except for Downtown Hamilton and Sub-Regional Centres, the hierarchy is not designated on Schedule “A” to this Plan. The location and distribution of such categories will be identified through Neighbourhood Plans and Secondary Plans as set out in Subsection D.2.”

16) **Policy A.2.2.4**

Revise existing policy A.2.2.4 by deleting the phrase “the Central Policy Area” in the first, third and fifth lines, and replacing with the words “Downtown Hamilton”; and,

Revise existing policy A.2.2.4 by deleting the words “Subsection A.2.8” in the last line, and replacing with the words “Subsection A.2.4”, so that the entire policy reads as follows:

2.2.4 “Downtown Hamilton will be promoted as the principal retail, business and service centre in the Region, and in the context of the overall COMMERCIAL structure of the City. Accordingly, Downtown Hamilton will be considered to be the preferred location for the major concentration of COMMERCIAL USES in the City and in the Region. Policies for Downtown Hamilton are detailed in Subsection A.2.4.”

17) **Subsection A.2.8 – Central Policy Area**

Revise the preamble to Subsection A.2.8 – Central Policy Area, the first sentence, by adding the phrase “Downtown Hamilton and” prior to “CENTRAL POLICY AREA”;

Revising the last word in the first sentence of the preamble from “Hamilton-Wentworth” to “Hamilton”; and,

Delete the second sentence of the preamble “Accordingly, it is the intent of the Plan that this unique AREA be promoted as a multi-use node with emphasis on the concentration of those uses of specialized and/or Region-wide appeal.”, so that the entire preamble reads as follows:

“In keeping with the intent of the Regional Official Plan, it is intended that Downtown Hamilton and the CENTRAL POLICY AREA function as the Regional Centre to serve the residents of Hamilton. To enhance the multi-use function of this AREA, the Plan promotes the creation of an attractive environment in which to live, work, do business, shop or visit. In so doing, the Plan identifies measures to achieve a desirable mix of land uses, a high order of amenity and design, the proper integration of a wide range of activities, and the effective and safe movement of vehicles and pedestrians. It is further intended that these measures will be amplified and detailed through a Neighbourhood Plan and Secondary Plan.”

18) Policy A.2.8.1 i)

Revise this policy to delete the phrases “retail department stores;”, and “head and branch offices and public administration offices; hotels;”, so that the entire policy reads as follows:

2.8.1 i) “Commercial Uses such as, but not limited to, food, specialty and general merchandising establishments; personal services; mixed commercial and residential uses; and in keeping with the Commercial policies set out in Subsection A.2.2 of this Plan;”

19) Policy A.2.8.3

Revise this policy to delete the preamble and policies A.2.8.3 i), A.2.8.3 ii), and A.2.8.3 iii); and,

Revise policy A.2.8.3 iv), to delete the word “iv”, add the word “and” before “King Street East”, and delete the words “and within Hess Village and Jackson Square”, so that the entire policy reads as follows:

2.8.3 “Other new retail and office uses will be encouraged to locate within the existing Commercial Areas along James Street North and South, and King Street East, to enhance the established retail character of these areas.”

20) Policy A.2.8.6

Revise this policy to delete the following policy:

- ii) Locate, promote, and/or expand tourist facilities within the CENTRAL POLICY AREA;

so that the entire policy reads as follows:

2.8.6 "To enhance the role of the CENTRAL POLICY AREA as a focus for Major Institutional and cultural facilities, Council will co-operate with, and encourage, the appropriate operating agencies to:

- i) Locate new Major Institutional Uses on sites adjacent to existing Major Institutional or Commercial Uses where it is feasible to achieve the sharing of common facilities such as, but not limited to, parking; and,
- ii) Establish, maintain, and/or expand such service facilities as, but not limited to, day-care or health centres to serve both the resident and employment populations."

21) Policy A.2.8.7

Revise Policy A.2.8.7 ii) by deleting the phrase "pedestrian malls and a", after the word "creating";

Revise this policy to delete the following policies:

- iii) Appropriate public transit routing and the integration of conventional and innovative transit facilities;
- iv) The appropriate location of a terminus for local and inter-city transit service, which is properly integrated with major land uses in the AREA:

and renumber the subsequent policies in A.2.8.7, so that the entire policy reads as follows:

2.8.7 "To facilitate the function of and the primary permitted uses in the CENTRAL POLICY AREA, Council will investigate to determine the most effective means of accommodating pedestrian and vehicular circulation and general accessibility to and within the AREA. In this regard, Council may give preference to pedestrian movement over vehicular circulation in specific areas. Accordingly, the investigation will consider, but not be limited to the following:

- i) The segregation of vehicular and pedestrian traffic by such means as

grade separation of pedestrian and vehicular traffic along and across major roads;

- ii) The feasibility of creating a network of walkways between and within Commercial areas or concentrations;
- iii) The re-routing of local and through traffic, including a facility to redirect truck traffic oriented to the Bayfront Industrial area;
- iv) The designation of truck routes;
- v) The provision and location of appropriate parking facilities;
- vi) The extension of truck loading facilities below grade, and the sharing of common loading facilities for various adjacent developments where loading at street level can be eliminated or limited; and,
- vii) The operating hours of public and private enterprises in the CENTRAL POLICY AREA.”

22) Subsection A.2.9.3 – Other Policy Areas – Policy A.2.3.10

Policy A.2.9.3.10, which addresses the +15 elevated pedestrian system in downtown, is deleted in its entirety, thereby deleting the following policies:

2.9.3.10 Further to policy A.2.8.7 I), Council will require provision for an elevated pedestrian walkway system (+15) emanating from Lloyd D. Jackson Square, connecting adjacent future development with the Square. To implement the pedestrian system, it is the intent of Council that:

- i) Links in the system will be constructed when new development occurs to the north, south and west of Lloyd D. Jackson Square, in the area shown as SPECIAL POLICY AREA 12 on Schedule “B-1”. The system will be integrated with the transit system;
- ii) Site plan control will be employed to implement the “+15” pedestrian system for any development or redevelopment to which the system is intended to connect. Provisions will be made for allowances in building design to facilitate the walkways at upper levels and to

ensure the integration of the system with ground level pedestrian walkways. Appropriate landscaping measures and other amenity features will also be incorporated;

- iii) The nature of the “+15” pedestrian system will be determined by design guidelines specifying matters to be considered in implementing the system; and,
- iv) The City will enter into any agreements, where deemed appropriate, with development or redevelopment proponents to realise the above guidelines.

23) Subsection B.3.2 – Public Transit

Policy B.3.2.2 ii) will be revised to delete the phrase “the Central Policy Area”, and replace it with “Downtown Hamilton”, so that the entire policy reads as follows:

3.2.2 “Council will encourage the Transportation, Operations and Environment Department to ensure:

- i) The safe and efficient movement of the commuting public;
- ii) The continued development of the TRANSIT System in Downtown Hamilton as a primary focal point of the System to provide a high degree of accessibility and reduce dependence on private automobiles;
- iii) An optimum number and distribution of TRANSIT routes throughout the City; and,
- iv) A high degree of accessibility to the PUBLIC TRANSIT System in all areas.”

24) Subsection D.8 – Interpretation

Policy D.8.2 will be revised by deleting reference to Schedules “F” and “G”, and adding Schedules “I”, “L-1”, “L-2”, “L-3”, “L-4”, “L-5”, “L-6”, “L-7”, and “L-8”, so that the entire policy reads as follows:

8.2 “The boundaries between the classes of land use designated on Schedule “A”

by patterned areas, as well as any other boundaries indicated on Schedules "B", "B-1", "B-2", "B-3", "C", "D", "H", "I", "J-1", "L-1", "L-2", "L-3", "L-4", "L-5", "L-6", "L-7", and "L-8" are only intended to be general and not to define the exact limits of any land use or policy. It is intended, therefore, that minor adjustments may be made in respect of these boundaries in the Zoning By-law without the necessity of further amending this Official Plan, so long as such By-laws conform to the general intent and purpose of this Plan."

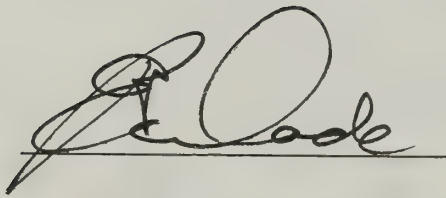
(O.P.A. No. 22; O.P.A. No. 135)

Implementation:

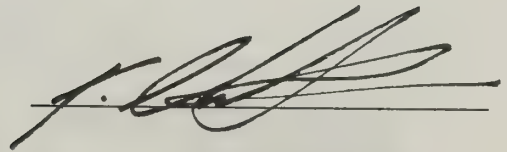
A Zoning By-law amendment, and a Development Permit By-law, when in effect, will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 01- 17 5 passed on the 10th day of July, 2001.

**The Corporation of the
City of Hamilton**

A handwritten signature in black ink, appearing to read "R. Oade", written over a horizontal line.

Mayor

A handwritten signature in black ink, written over a horizontal line.

~~K. Municipal Clerk~~
CITY

schedule "A"
amendment no. 172
to the
official plan
for the
City of Hamilton

legend

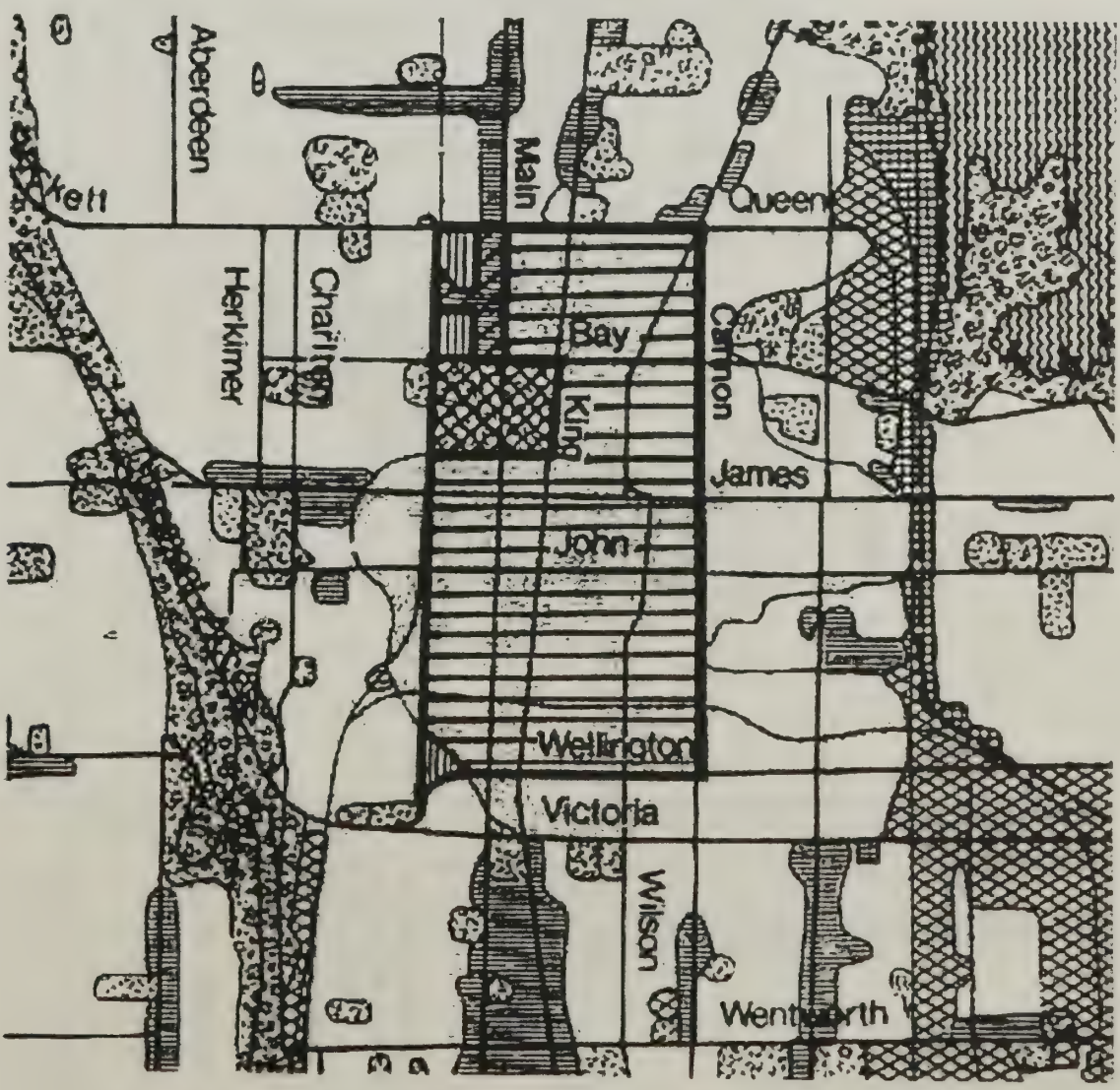
[diagonal lines] area to be changed from
"Central Policy Area" to "Downtown
Hamilton"

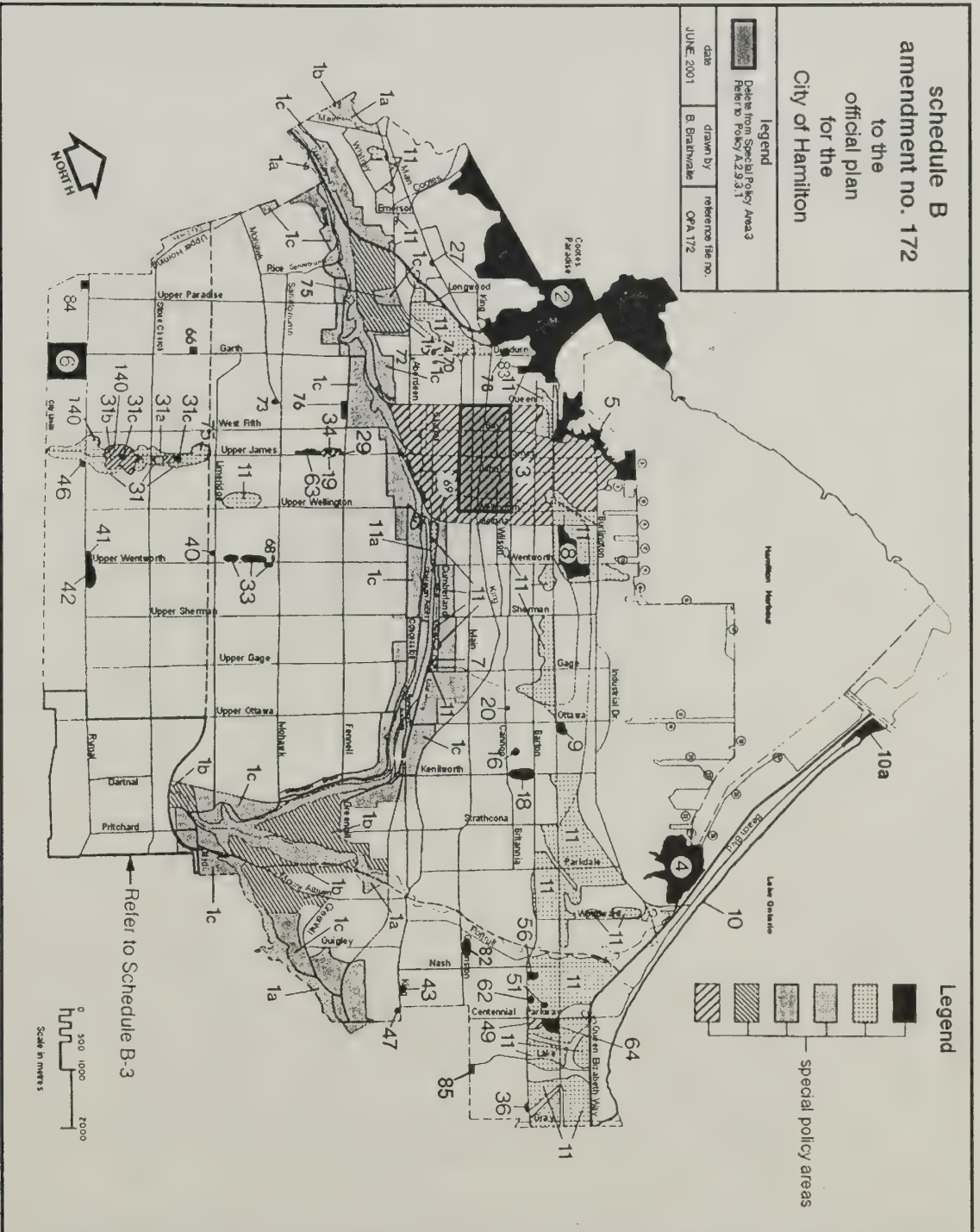
[cross-hatch] area to be changed from
"Major Institutional" to "Downtown
Hamilton"

[diagonal lines] area to be changed from
"Commercial" to "Downtown Hamilton"

[horizontal lines] area to be changed from
"Residential" to "Downtown Hamilton"

date: JUNE, 2001
drawn by: B. Brathwaite
reference file no.: OPA 172



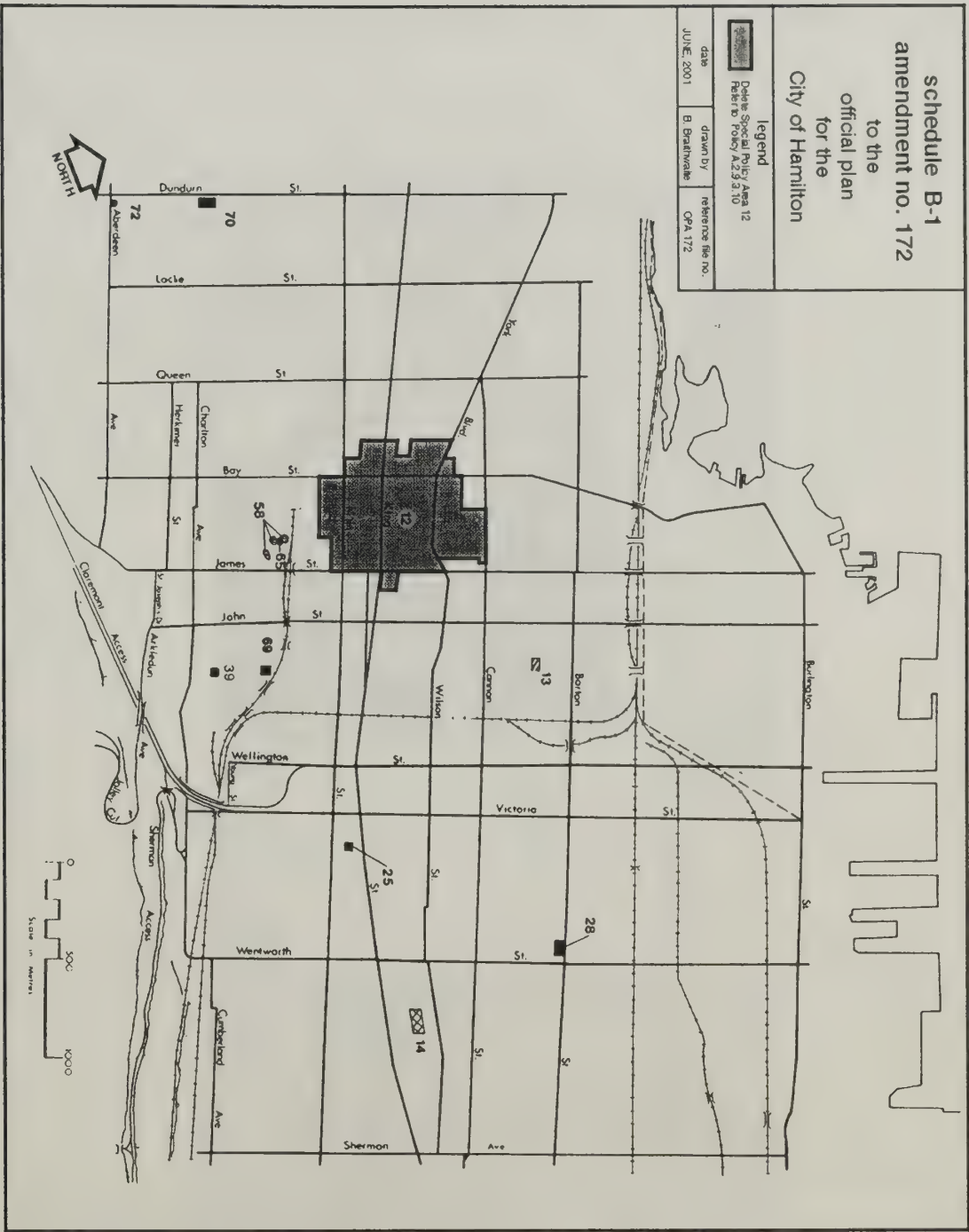


special policy areas			
AREA	REFERENCE	AREA	REFERENCE
1(a)	A.2.9.1	56	A.2.9.3.1
1(b)	A.2.9.1	57	A.2.9.3.2
2	A.2.9.2	58	A.2.9.3.3
3	A.2.9.3	59	A.2.9.3.4
4	A.2.9.3	60	A.2.9.3.5
5	A.2.9.3	61	A.2.9.3.6
6	A.2.9.3	62	A.2.9.3.7
7	A.2.9.3	63	A.2.9.3.8
8	A.2.9.3	64	A.2.9.3.9
9	A.2.9.3	65	A.2.9.3.10
10	A.2.9.3	66	A.2.9.3.11
11	A.2.9.3	67	A.2.9.3.12
12	A.2.9.3	68	A.2.9.3.13
13	A.2.9.3	69	A.2.9.3.14
14	A.2.9.3	70	A.2.9.3.15
15	A.2.9.3	71	A.2.9.3.16
16	A.2.9.3	72	A.2.9.3.17
17	A.2.9.3	73	A.2.9.3.18
18	A.2.9.3	74	A.2.9.3.19
19	A.2.9.3	75	A.2.9.3.20
20	A.2.9.3	76	A.2.9.3.21
21	A.2.9.3	77	A.2.9.3.22
22	A.2.9.3	78	A.2.9.3.23
23	A.2.9.3	79	A.2.9.3.24
24	A.2.9.3	80	A.2.9.3.25
25	A.2.9.3	81	A.2.9.3.26
26	A.2.9.3	82	A.2.9.3.27
27	A.2.9.3	83	A.2.9.3.28
28	A.2.9.3	84	A.2.9.3.29
29	A.2.9.3	85	A.2.9.3.30
30	A.2.9.3		
31	A.2.9.3		
32	A.2.9.3		
33	A.2.9.3		
34	A.2.9.3		
35	A.2.9.3		
36	A.2.9.3		
37	A.2.9.3		
38	A.2.9.3		
39	A.2.9.3		
40	A.2.9.3		
41	A.2.9.3		
42	A.2.9.3		
43	A.2.9.3		
44	A.2.9.3		
45	A.2.9.3		
46	A.2.9.3		
47	A.2.9.3		
48	A.2.9.3		
49	A.2.9.3		
50	A.2.9.3		
51	A.2.9.3		
52	A.2.9.3		
53	A.2.9.3		
54	A.2.9.3		
55	A.2.9.3		

For other Special Policy Areas numbers, refer to Schedules: B-1, B-2, and B-3.

schedule B
to the official plan
for
the City of Hamilton

JUNE 2001



**other special
policy areas**

legend

- 12 delete
- 13 refer to policy A.2.9.3.11
- 14 refer to policy A.2.9.3.12
- 25 refer to policy A.2.9.3.20
- 28 refer to policy A.2.9.3.23
- 39 refer to policy A.2.9.3.34
- 58 refer to policy A.2.9.3.53
- 60 refer to policy A.2.9.3.60
- 65 refer to policy A.2.9.3.64
- 69 refer to policy A.2.9.3.65
- 70 refer to policy A.2.9.3.67
- 72 refer to policy A.2.9.3.67

schedule B-1

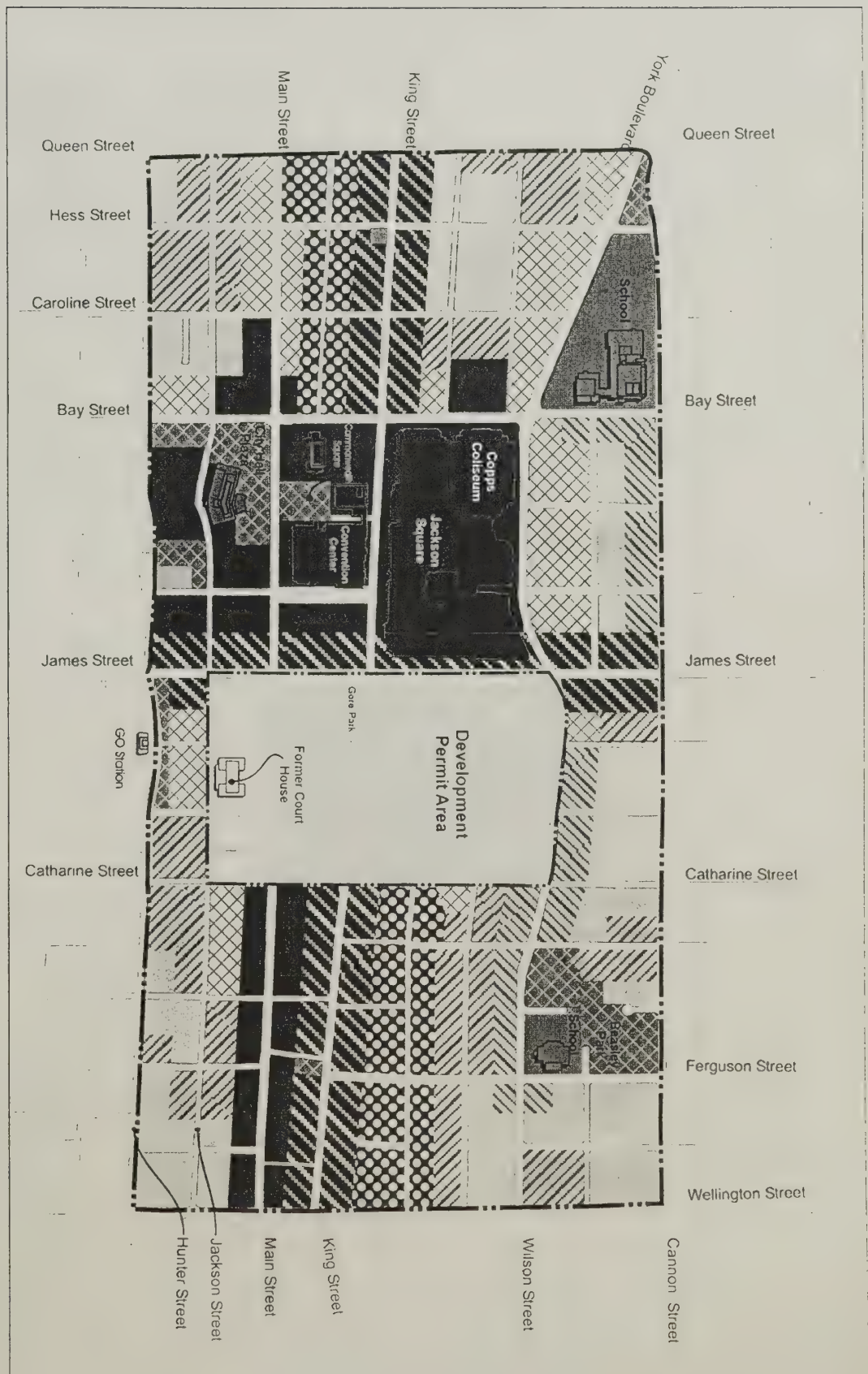
to the official plan
for
the City of Hamilton

June 2001

SCHEDULE L-1 - LAND USE AND DEVELOPMENT PERMIT AREA

Legend

	Public Open Space		Central Business District		Specialty Commercial		Mixed Use		Low Density Residential		Planning Area Boundary
	Public Use		Prime Retail Streets		Local Commercial		Medium Density Residential		GO Station		DPA Boundary



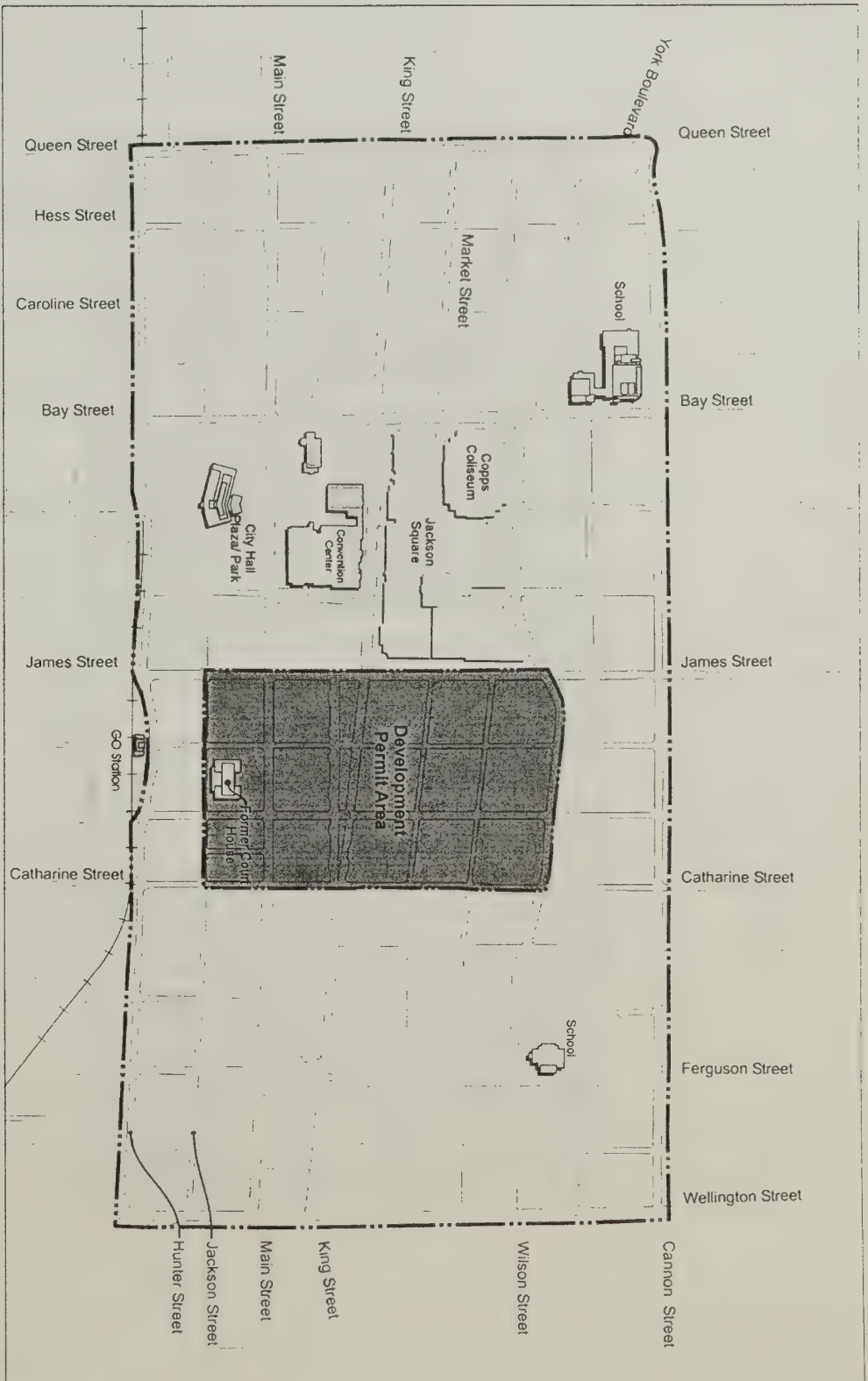
Putting People First
The New Land Use Plan
for Downtown Hamilton
July 2001



**SCHEDULE L-2
PLANNING AREA BOUNDARY**

Legend

	
Landmark Buildings	Station
	
Planning Area Boundary	Development Permit Area Boundary
	
Planning Area	Development Permit Area



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for Downtown Hamilton
June, 2001

0 100 200 300 400 m

0 100 200 300 400 ft

SCHEDULE L-3 BUILDING HEIGHT

Legend

15 Stories

8 Stories

3-6 Stories

Parks/Open Space

Planning Area Boundary

12 Stories

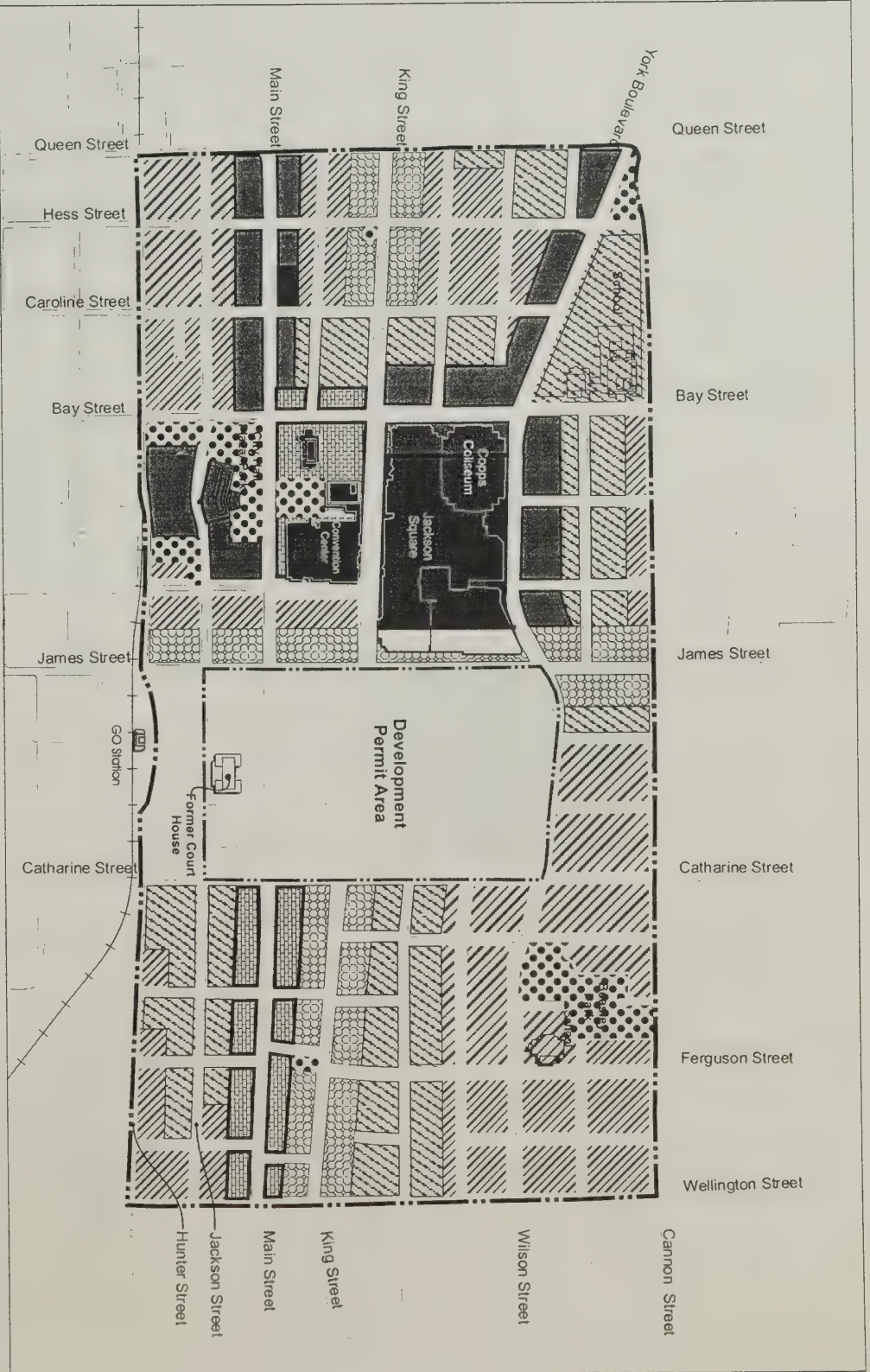
6 Stories

4 Stories

Station

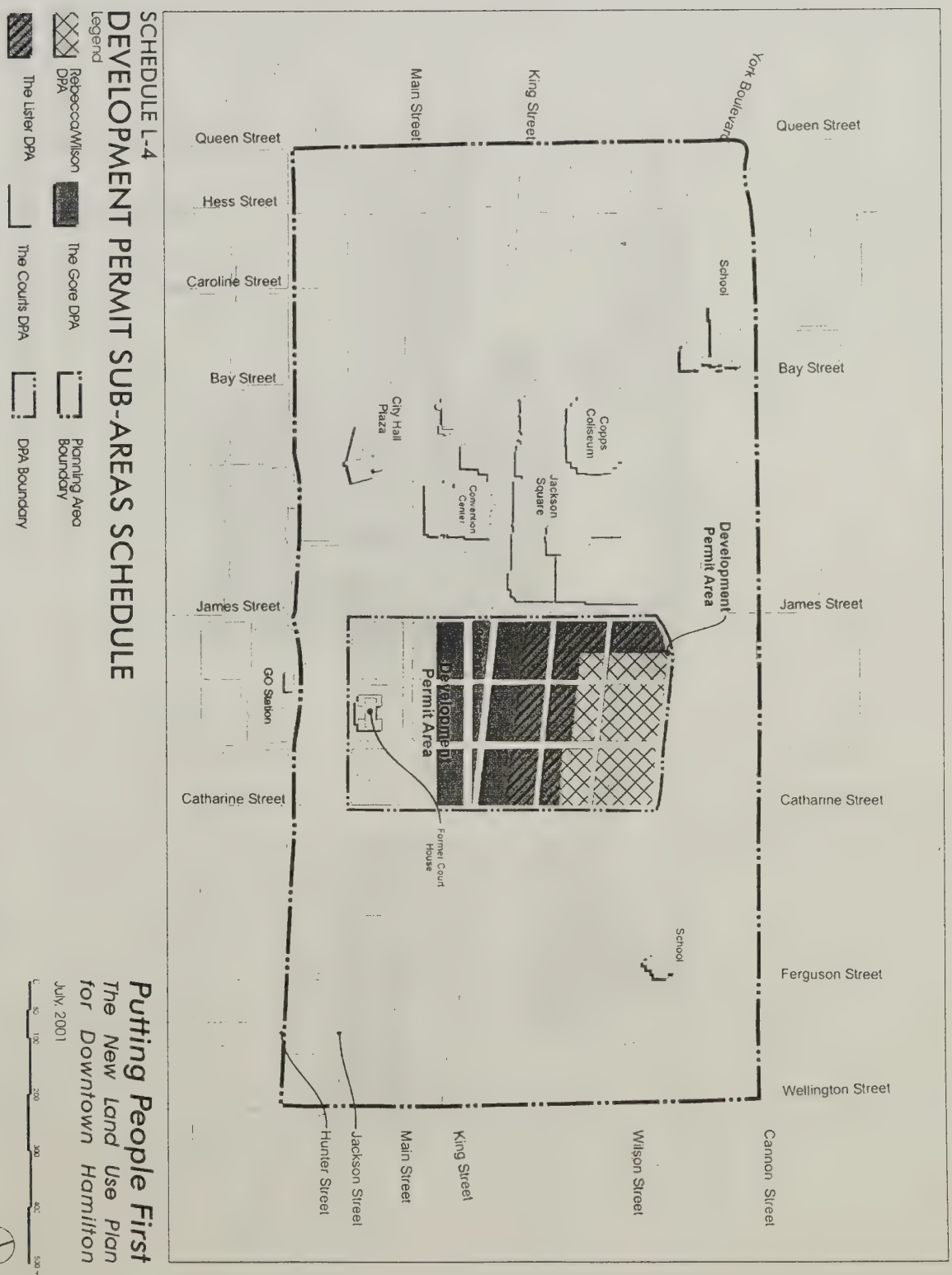
DPA Boundary

Note: Heights are subject to the policies of this plan.



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July, 2001





**SCHEDULE L-5
DOWNTOWN COMMERCIAL AREAS**

Legend

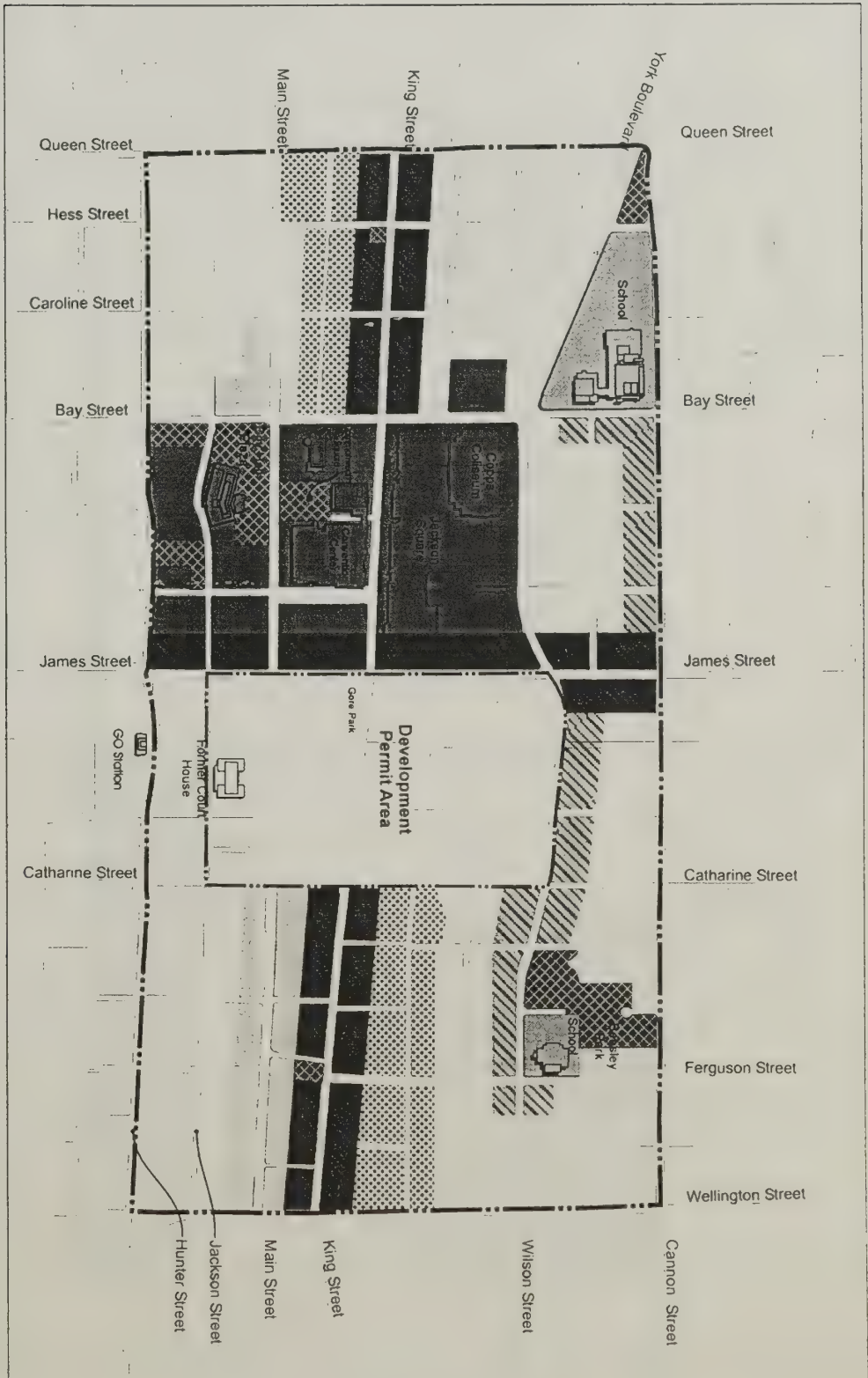
Parks/
Open Space
 Central Business
District
 Prime Retail
Streets

Specialty
Areas
 Main Street
Corridor

Local Commercial
Area

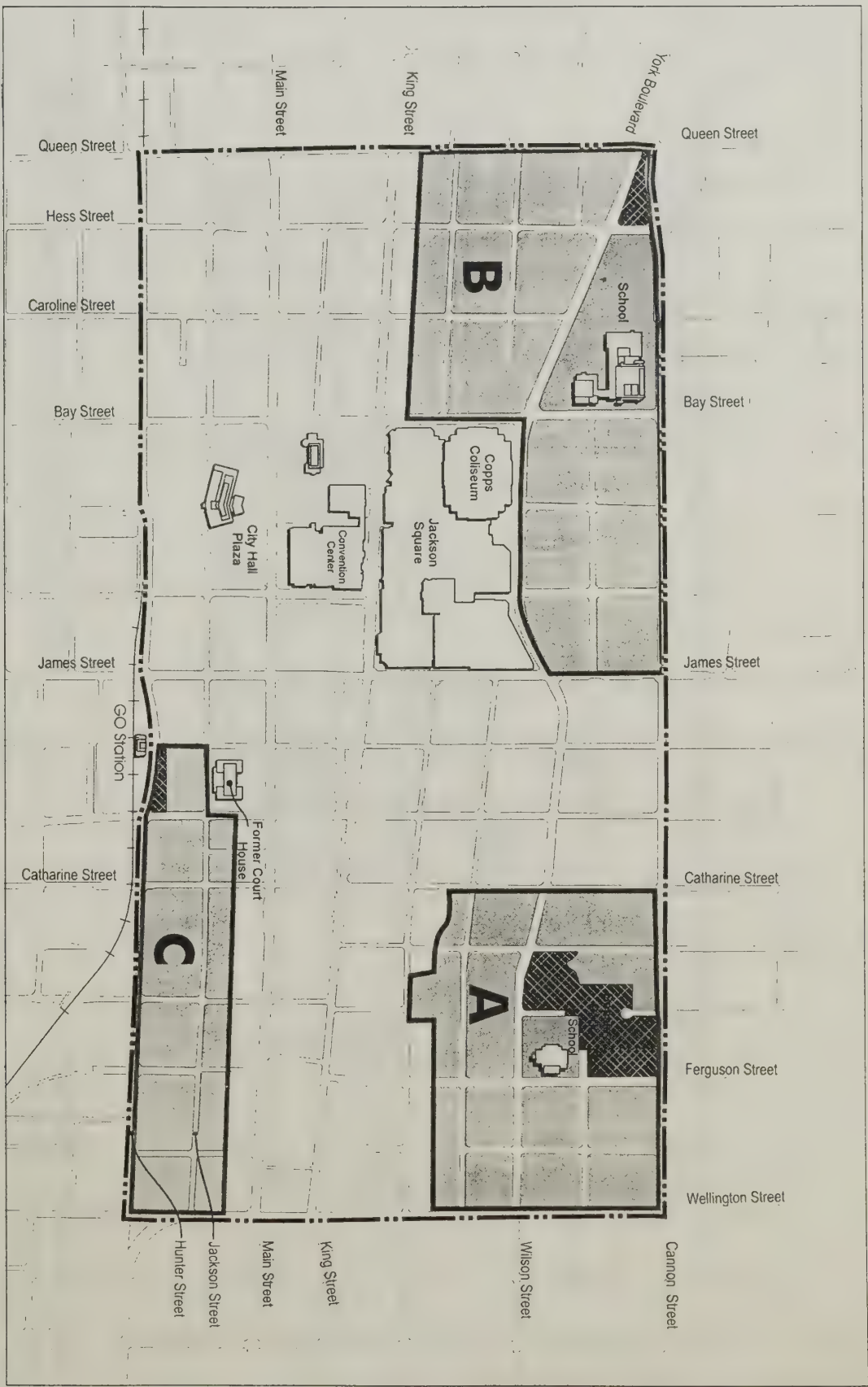
Planning Area
Boundary
 DPA Boundary

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 July 2001



**SCHEDULE L-6
SPECIAL DOWNTOWN RESIDENTIAL POLICY AREAS**

- Legend
- Parks/Open Space
 - Schools
 - Key Civic Building
 - Residential Precincts
 - Area A: Beasley
 - Area B: Central Area
 - Area C: Corktown



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July 2001

0 50 100 200 300 400 500 m



SCHEDULE L-7 STREETS, GATEWAYS & PUBLIC SPACES

Legend

Parks/
Open Space

Mobility Streets

Traditional Streets

Local Streets

Streets with Special
Streetscaping

Key
Destinations

Downtown
Gateways

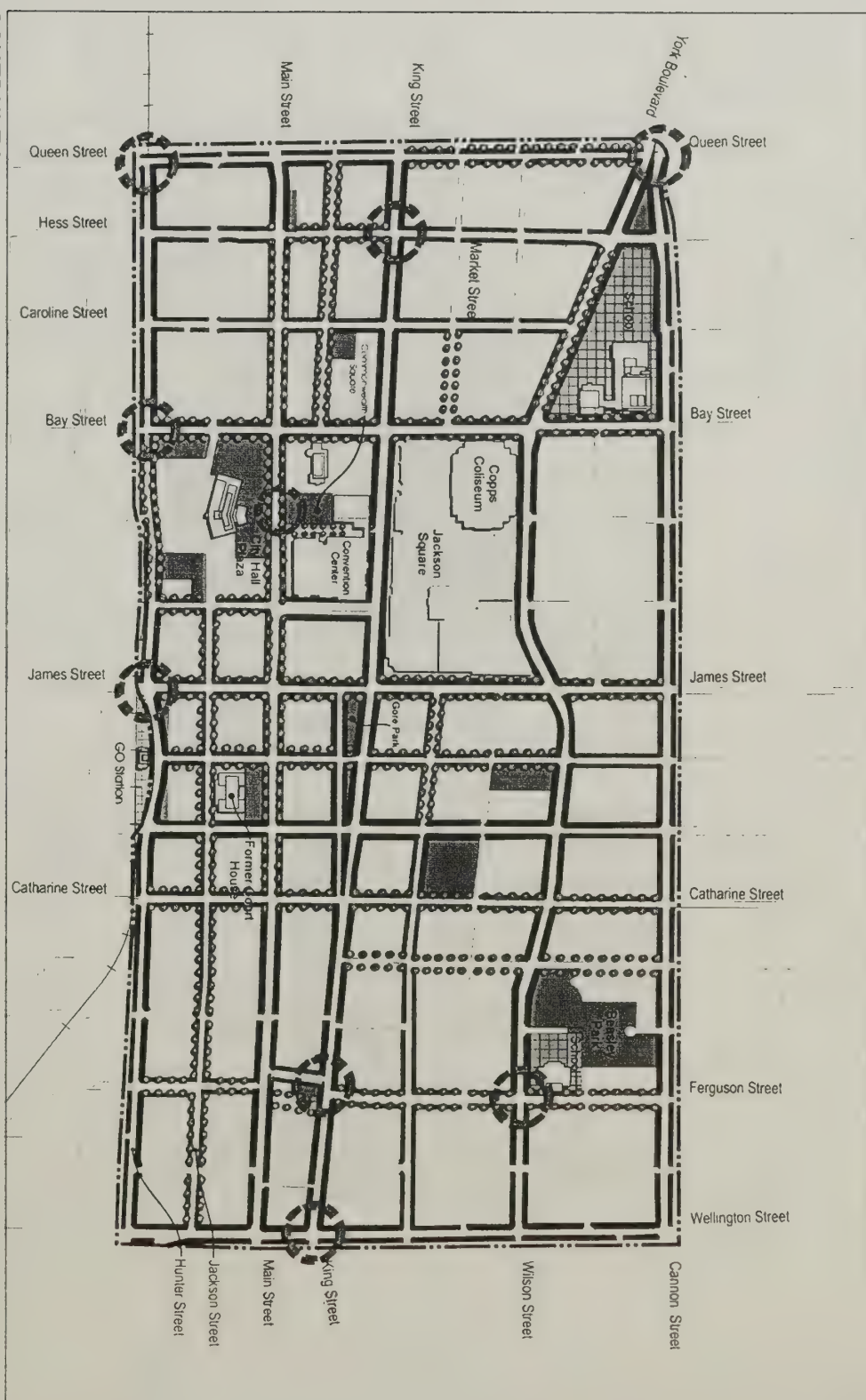
Planning
Boundary

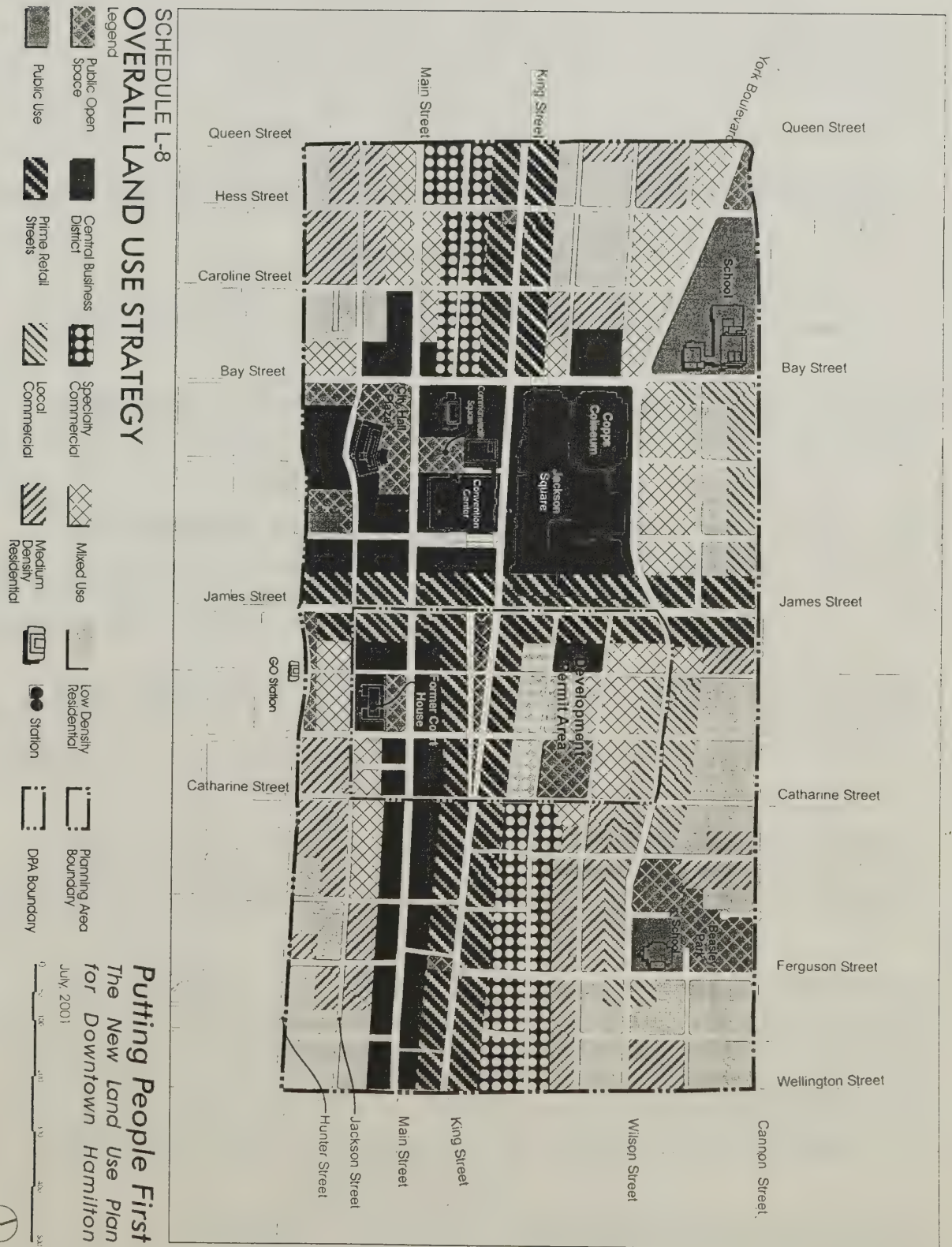
Station

0 50' 100' 150' 200' 250'

July 2001

Putting People First
The New Land Use Plan
for Downtown Hamilton





City of Hamilton

BY-LAW NO. 01-176

To Amend:

Zoning By-law No. 6593 (Hamilton)

As Amended by Zoning By-law No. 81-346 (Hamilton) and By-law No. 83-98 (Hamilton)

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 61 ROBINSON STREET

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 81-346 (Hamilton) on the 9th day of December, 1981, to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593 (Hamilton), for the "E" District and "C" District, in respect of the lands located at the South-East corner of Robinson and Park Streets, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 83-98 (Hamilton) on the 29th day of March, 1983, to implement the Ontario Municipal Board Decision dated the 20th day of September, 1982 respecting By-law No. 81-346 (Hamilton), by establishing further special requirements under Section

19B of Zoning By-law No. 6593 (Hamilton), for the "E" District and "C" District, in respect of the lands located at the South-East corner of Robinson and Park Streets, which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of the City of Hamilton, in adopting Section 3 of Report 01-019 of the Hearings Sub-Committee at its meeting held on the 10th day of July, 2001, recommended that Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 81-346 (Hamilton) and By-law No. 83-98 (Hamilton), be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The the "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9. of Zoning By-law No. 6593 (Hamilton), as amended by By-laws No. 81-346 (Hamilton) and 83-98 (Hamilton), applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

(a) Sections 2.(a), 2.(b) and 2(c), of By-law No. 81-346 (Hamilton) be deleted; and,

(b) Notwithstanding Section 9.(1) of Zoning By-law No. 6593 (Hamilton), only a multiple dwelling containing a maximum of six dwelling units shall be permitted only within the existing building and additions thereto; and,

(c) Notwithstanding Section 9.(3)(ii) of Zoning By-law No. 6593 (Hamilton), no side yards shall be required only for the existing building and additions thereto; and,

(d) Notwithstanding Section 9.(3)(iii) of Zoning By-law No. 6593 (Hamilton), no rear yard shall be required only for the existing building and additions thereto; and,

(e) Notwithstanding Section 18.4(iv) of Zoning By-law No. 6593 (Hamilton), accessory structures, limited to a private garage and a gazebo, shall be permitted within a front yard, subject to the following setbacks:

(i) an accessory private garage shall provide and maintain a minimum setback of 0.0 metre from the westerly side lot line and a minimum setback of 6.0 metres from the front lot line; and,

(ii) an accessory gazebo shall provide and maintain a minimum setback of 3.0 metres from any lot line; and,

(f) Notwithstanding Sections 18A.(1)(f) and 18A.(9) of Zoning By-law No. 6593 (Hamilton), on-site manoeuvring space shall not be required; and,

(g) Notwithstanding Section 18A.(1)(b) of Zoning By-law No. 6593 (Hamilton), residential visitor parking shall not be required; and,

(h) Notwithstanding Section 18A.(1)(c) of Zoning By-law No. 6593 (Hamilton), no loading space shall be required.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1. of this by-law.

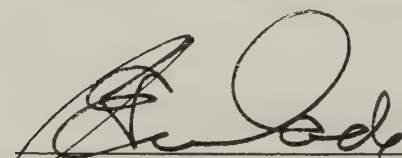
3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-776b.

4. Sheet No. W-5 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-776b.

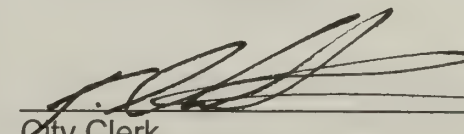
5. In all other respects, By-law No. 81-346 (Hamilton) and By-law No. 83-98 (Hamilton) are hereby confirmed, unchanged.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and enacted this 10th day of July, 2001.

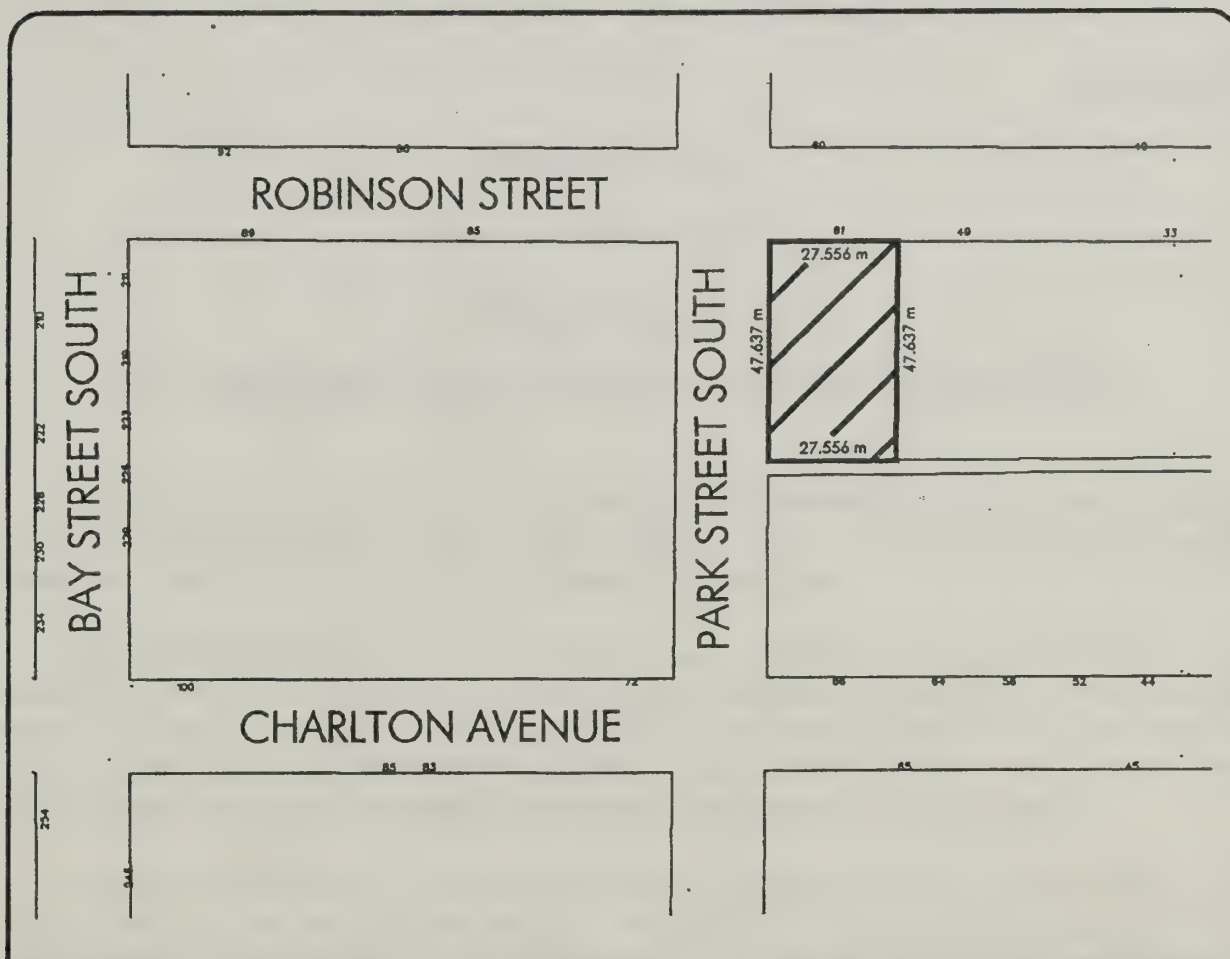


Mayor

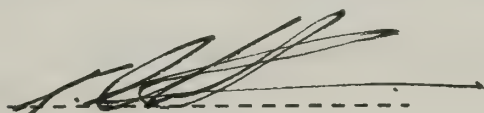


City Clerk

A. Riccio, in Trust, (applicant)
ZAC-01-23



This is Schedule "A" to By-Law No. 01-176.....
 Passed the 10th day of July, 2001.


 Clerk


 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 01-176
 to Amend By-Law No. 6593

Planning and Development Department

Legend



Further modification to
 the "C" (Urban Protected
 Residential, etc.) District

North 	Scale NOT TO SCALE	Reference File No. ZAC-01-23
	Date June, 2001	Drawn By L.M.

City of Hamilton

BY-LAW NO. 01-177

To Adopt Amendments to

THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN

WHEREAS By-law No. 96-188 (pursuant to subsection (28(2) of the Planning Act, R.S.O. 1990, Chapter p.13), designated an area of the municipality as the "Downtown Hamilton Community Improvement Project Area";

AND WHEREAS By-law No. 96-188, was amended by By-law No. 00-177 to include the "Downtown Hamilton Community Improvement Project Area" two additional districts defined in the amending By-law, which additional districts, together with the original Community Improvement Project Area designated by By-law No. 96-188, now constitute the "Downtown Hamilton Community Improvement Project Area";

AND WHEREAS the "Downtown Hamilton Community Improvement Plan" was adopted and subsequently amended, (in accordance with the Planning Act, R.S.O. 1990, Chapter P.13, section 28), by By-laws No. 97-140, 98-122, 98-212, 98-289, 00-176, 00-178 and 00-213 (hereinafter the said Plan, as amended, may be referred to as the "Plan", or as the "Downtown Hamilton Community Improvement Plan").

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The provisions of the Downtown Hamilton Community Improvement Plan amended as referred to above and as attached as Schedule 'A' to By-law No. 97-140, are hereby amended and revised to include following provisions that shall form part of the Plan.

2. Section 9 of the Plan attached as Schedule "A' to By-law No. 97-140 is amended by deleting the current wording of Section 9 a)-1)(iii) and substituting the following:

"In this subsection, the phrase "vacant lands" shall include properties developed as commercial and private parking lots."

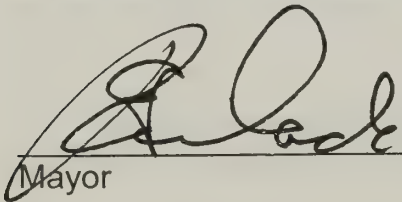
3. The paragraph entitled "Security" of Schedule 'A' "Summary of Terms of Hamilton Downtown Convert/Renovate to Residential Loan Program" be deleted and replaced by the following:

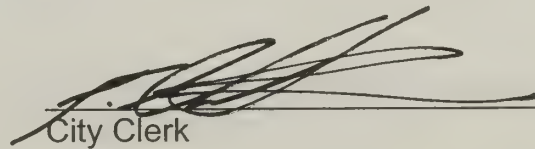
"Such security as may be required to secure a commercial loan, including the following: promissory note; and/or personal property security; and/or personal guarantee(s); and/or lien on the property to be improved; and/or mortgage/charge registered on the property to be improved; and/or letter of credit in lieu of a second mortgage/charge; and/or mortgage/charge on other property (subject to City's minimum equity requirement); and/or such other security which may be appropriate or available in the circumstances."

4. It is hereby authorized and directed that, as required by the Planning Act, the Clerk shall give notice of the adoption of the said amendments to the Downtown Hamilton Community Improvement Plan and shall submit the said amendments to the Plan to the Minister of Municipal Affairs and Housing for approval.

5. This by-law shall come into force and effect on the date the approval of the Minister of Municipal Affairs is valid and binding.

PASSED and enacted this 10th day of July, 2001.



Mayor

City Clerk

Authoriy: Items 25, 26, 27 and 36, Committee
of the Whole Report 01-023
(TOE01085, TOE01101, TOE01102
TOE01105)
CM: July 10, 2001

Bill No. 178

City of Hamilton

BY-LAW NO. 01-178

To Amend:

By-law No. 3366-82 (Dundas), as amended,
and By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of October, 1982, the Council of the Corporation of the Town of Dundas enacted By-law No. 3366-82 to regulate traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipalities, the Corporation of the Town of Dundas and the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the Town of Dundas and the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 3366-82 and By-law No. 89-72, both as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule 17 (Stop Signs) of By-law No. 3366-82, as amended is hereby further amended by adding thereto the following items, namely:

"Creighton Rd.	North & South	Kemp Dr.
Kemp Dr.	West	Creighton Rd."

2. That Schedule 10 (Stops at Intersections) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

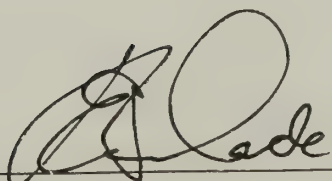
"East 44th	Northbound and Southbound	Bruce Dale
Taymall	Northbound and Southbound	Anna Capri
Deerborn	Southbound	Southampton"

and by deleting therefrom the following item, namely:

"Southampton	Westbound	Deerborn"
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2. Subject to the amendments made in this By-law, in all other respects, By-law No. 3366-82 (Dundas) and By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, are hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 10th day of July, 2001.



Mayor



City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01 - 179

To Confirm the Proceedings of City Council at its meeting held on July 10, 2001.

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

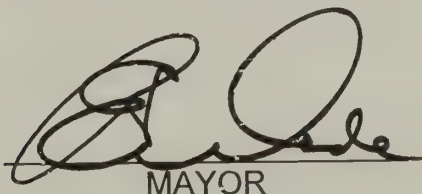
1. The Action of City Council at its meeting held on the 10th day of July, 2001 in respect of each recommendation contained in:

Report 01-022 of the Committee of the Whole,
Report 01-023 of the Committee of the Whole,
Report 01-018 of the Hearings Sub-Committee,
Report 01-019 of the Hearings Sub-Committee,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 10th day of July 2001.



MAYOR



CITY CLERK

THE CITY OF HAMILTON

BY-LAW NO. 01- 181

A BY-LAW TO AMEND BY-LAW 01-157
(LEVY THE RATES OF TAXATION
FOR THE YEAR 2001)

WHEREAS Council enacted By-law No. 01-157 to set the levy and rates of taxation for the current year;

AND WHEREAS Council wishes to amend Schedules B, C, and E to provide for education tax rates, which require additions and changes to the contents of Schedules B and C of By-law No. 01-157, and to correct an omission in Schedule E respecting Business Improvement Areas, and Council deems it expedient to re-enact the full Schedules in amended form for ease of reference;

NOW THEREFORE the Council of the City of Hamilton hereby enacts as follows:

1. By-law No. 01-157 is hereby amended as follows:

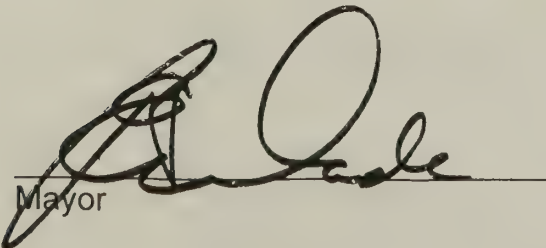
- (a) Schedule B to By-law No. 01-157 is hereby repealed and replaced with Schedule B to this by-law;
- (b) Schedule C to By-law No. 01-157 is hereby repealed and replaced with Schedule C to this by-law; and
- (c) Schedule E to By-law No. 01-157 is hereby repealed and replaced with Schedule E to this by-law.

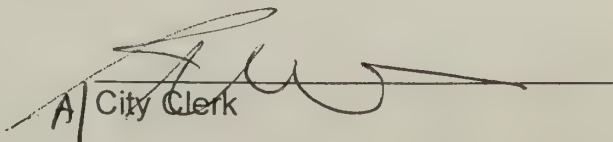
2. Schedules B, C, and E are attached to and form a part of this by-law.

3. (1) This by-law comes into force and effect on the date of enactment.

(2) In all other respects By-law No. 01-157 is confirmed without change.

PASSED and enacted this 22nd day of August, 2001.


Mayor


A/ City Clerk

CITY OF HAMILTON

BY-LAW NO. 01-181

2001 Tax Rates and Levy - General Purposes and Provincial Education

Schedule "C"
Page 1 of 1

Property Class	Current Value Assessment	General Rate	General Levy	Education Rate	Education Levy
1 Residential and Farm	RT	0.010293062	211,213,198	0.003730000	76,539,444
1 Land Awaiting Development	C1	0.004631878	774	0.001678500	280
2 Multi-Residential	MT	0.030868892	46,586,621	0.003730000	5,629,230
3a Commercial - Residual	CT	0.024966851	50,703,785	0.029351459	59,608,241
- vacant bldg, excess land	CU	0.017476796	463,225	0.020546021	544,575
Commercial - Office Building	DT	0.024966851	836,807	0.029351459	983,765
- vacant bldg, excess land	DU	0.017476796	-	0.020546021	-
3b Commercial - Parking Lot	GT	0.024966851	369,679	0.029351459	434,601
- vacant land	CX	0.024966851	2,035,498	0.029351459	2,392,966
3c Commercial - Shopping	ST	0.024966851	16,118,074	0.029351459	18,948,685
- vacant bldg, excess land	SU	0.017476796	12,188	0.020546021	14,328
4a Industrial - Residual	IT	0.039478009	10,274,036	0.035632868	9,273,349
- vacant bldg, excess land,	IU	0.025660706	10,031	0.023161364	9,054
- vacant land	IX	0.025660706	482	0.023161364	435
4b Industrial - Large	LT	0.046960652	23,386,771	0.042386704	21,108,909
- vacant bldg, excess land	LU	0.030524424	10,033	0.027551358	9,056
5 Pipelines	PT	0.014511159	2,566,898	0.015452410	2,733,397
6 Farmlands	FT	0.002573265	983,606	0.000932500	356,439
7 Managed Forests	TT	0.002573265	16,304	0.000932500	5,908
TOTAL			365,588,010		198,592,662

CITY OF HAMILTON

BY-LAW NO. 01-181
(to amend By-Law 01-157)

Schedule "E"
Page 1 of 7

2001 Tax Rates and Levy - Business Improvement Areas

Table 1 - Concession Street

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual - vacant bldg, excess land	CT \$ 9,319,257 CU	2.4256 1.6979	22,604,790	0.00 0.30	\$ 22,604,790	0.002609974 0.001278887	\$ 24,323.02 -
3c Commercial - Shopping - vacant bldg, excess land	ST \$ SU \$	2.4256 1.6979	-	0.00 0.30	-	0.002609974 0.001278887	\$ - -
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 700,000	2.4256	1,697,920	0.00	1,697,920	0.002609974	\$ 1,826.98
4a Industrial - Residual - vacant bldg, excess land,	IT \$ IU \$	3.8354 2.4930	-	0.00 0.35	-	0.004126935 0.001743630	\$ - -
4b Industrial - Large - vacant bldg, excess land	LT \$ LU \$	4.5624 2.9655	-	0.00 0.35	-	0.004909153 0.002074117	\$ - -
Total	\$ 10,019,257		\$ 24,302,710		\$ 24,302,710		\$ 26,150.00

Approved 2001 Budget \$ 26,150 divided by assessment vacancy adjusted \$ 24,302,710 equals tax rate 0.001076012 at ratio 1.00.

Table 2 - Westdale

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual - vacant bldg, excess land	CT \$ 11,102,151 CU	2.4256 1.6979	26,929,377	0.00 0.30	\$ 26,929,377	0.004053269 0.001986102	\$ 45,000.00 -
3c Commercial - Shopping - vacant bldg, excess land	ST \$ SU \$	2.4256 1.6979	-	0.00 0.30	-	0.004053269 0.001986102	\$ - -
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$	2.4256	-	0.00	-	0.004053269	\$ -
4a Industrial - Residual - vacant bldg, excess land,	IT \$ IU \$	3.8354 2.4930	-	0.00 0.35	-	0.006409097 0.002707644	\$ - -
4b Industrial - Large - vacant bldg, excess land	LT \$ LU \$	4.5624 2.9655	-	0.00 0.35	-	0.007623874 0.003221087	\$ - -
Total	\$ 11,102,151		\$ 26,929,377		\$ 26,929,377		\$ 45,000.00

Approved 2001 Budget \$ 45,000 divided by assessment vacancy adjusted \$ 26,929,377 equals tax rate 0.001671038 at ratio 1.00.

CITY OF HAMILTON

BY-LAW NO. 01- 181
(to amend By-Law 01-157)

Schedule "E"
Page 2 of 7

2001 Tax Rates and Levy - Business Improvement Areas

Table 3 - Ottawa Street

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 13,199,138	2.4256	32,015,829	0.00	\$ 32,015,829	0.004638199	\$ 61,220.23
- vacant bldg, excess land	CU	1.6979	-	0.30	-	0.002272717	-
3c Commercial - Shopping	ST \$ -	2.4256	-	0.00	-	0.004638199	-
- vacant bldg, excess land	SU \$ -	1.6979	-	0.30	-	0.002272717	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 125,000	2.4256	303,200	0.00	303,200	0.004638199	\$ 579.77
4a Industrial - Residual	IT \$ -	3.8354	-	0.00	-	0.007333399	-
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	-	0.003098614	-
4b Industrial - Large	LT \$ -	4.5624	-	0.00	-	0.008724081	-
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	-	0.003685924	-
Total	\$ 13,324,138		\$ 32,319,029		\$ 32,319,029		\$ 61,800.00

Approved 2001 Budget \$ 61,800 divided by assessment vacancy adjusted \$ 32,319,029 equals tax rate 0.001912186 at ratio 1.00.

Table 4 - International Village

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 10,320,936	2.4256	25,034,462	0.00	\$ 25,034,462	0.006503197	\$ 67,119.08
- vacant bldg, excess land	CU	1.6979	-	0.30	-	0.003186567	-
3c Commercial - Shopping	ST \$ -	2.4256	-	0.00	-	0.006503197	-
- vacant bldg, excess land	SU \$ -	1.6979	-	0.30	-	0.003186567	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 443,000	2.4256	1,074,541	0.00	1,074,541	0.006503197	\$ 2,880.92
4a Industrial - Residual	IT \$ -	3.8354	-	0.00	-	0.010282966	-
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	-	0.004344553	-
4b Industrial - Large	LT \$ -	4.5624	-	0.00	-	0.012231995	-
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	-	0.005168018	-
Total	\$ 10,763,936		\$ 26,109,003		\$ 26,109,003		\$ 70,000.00

Approved 2001 Budget \$ 70,000 divided by assessment vacancy adjusted \$ 26,109,003 equals tax rate 0.002681068 at ratio 1.00.

CITY OF HAMILTON

BY-LAW NO. 01-181
(to amend By-Law 01-157)Schedule "E"
Page 3 of 7

2001 Tax Rates and Levy - Business Improvement Areas

Table 5 - Barton Village

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 9,885,094	2.4256	23,977,284	0.00	\$ 23,977,284	0.001581715	\$ 15,635.40
- vacant bldg, excess land	CU	1.6979	-	0.30	-	0.000775040	-
3c Commercial - Shopping	ST \$ -	2.4256	-	0.00	-	0.001581715	-
- vacant bldg, excess land	SU	1.6979	-	0.30	-	0.000775040	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 123,700	2.4256	300,047	0.00	\$ 300,047	0.001581715	\$ 195.66
4a Industrial - Residual	IT \$ 77,416	3.8354	296,921	0.00	\$ 296,921	0.002501034	\$ 193.62
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	-	0.001056687	-
4b Industrial - Large	LT \$ 1,672,333	4.5624	7,629,785	0.00	\$ 7,629,785	0.002975079	\$ 4,975.32
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	-	0.001256971	-
Total	\$ 11,758,543		\$ 32,204,037		\$ 32,204,037		\$ 21,000.00
Approved 2001 Budget \$ 21,000	divided by assessment vacancy adjusted \$ 32,204,037 equals tax rate 0.000652092 at ratio 1.00.						

* Westinghouse 2/3 assessment reduction as per By-law 98-15

030-233-06050, 030-237-03410, 030-237-09140

	Gross Assessment	Adjustment	Rateable Assessment	Gross Tax	Adj Tax	Net Tax
Residual Commercial	CX \$ 179,100	\$ 119,400	\$ 59,700	\$ 283.29	\$ 188.86	\$ 94.43
-vacant unit, excess land	LU	-	-	-	-	-
Residual Industrial	IT \$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Residual Industrial	IU \$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Large Industrial	LT \$ 5,017,000	\$ 3,344,667	\$ 1,672,333	\$ 14,925.97	\$ 9,950.65	\$ 4,975.32
	\$ 5,196,100	\$ 3,464,067	\$ 1,732,033	\$ 15,209.26	\$ 10,139.50	\$ 5,069.75

CITY OF HAMILTON

BY-LAW NO. 01- 181
(to amend By-Law 01-157)

Schedule "E"
Page 4 of 7

2001 Tax Rates and Levy - Business Improvement Areas

Table 6 - Downtown

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT/DT \$ 61,715,533	2.4256	149,697,197	0.00	\$ 149,697,197	0.002353839	\$ 145,268.42
- vacant bldg, excess land	CU	1.6979	-	0.30	\$ -	0.001153381	\$ -
3c Commercial - Shopping	ST \$ 159,820	2.4256	387,659	0.00	\$ 387,659	0.002353839	\$ 376.19
- vacant bldg, excess land	SU	1.6979	-	0.30	\$ -	0.001153381	\$ -
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 1,850,333	2.4256	4,488,168	0.00	\$ 4,488,168	0.002353839	\$ 4,355.39
4a Industrial - Residual	IT \$ -	3.8354	-	0.00	\$ -	0.003721930	\$ -
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	\$ -	0.001572515	\$ -
4b Industrial - Large	LT \$ -	4.5624	-	0.00	\$ -	0.004427383	\$ -
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	\$ -	0.001870569	\$ -
Total	\$ 63,725,686		\$ 154,573,024		\$ 154,573,024		\$ 150,000.00
Approved 2001 Budget	\$ 150,000	divided by assessment vacancy adjusted		\$ 154,573,024	equals tax rate		0.000970415 at ratio 1.00.

* Ramada and Howard Johnson's 2/3 assessment reduction as per By-law 92-119

	Gross Assessment	Adjustment	Rateable Assessment	Gross Tax	Adj Tax	Net Tax
Residual Commercial						
130 King E	CT 5,672,020	3,781,347	1,890,673	\$ 13,351.02	\$ 8,900.68	\$ 4,450.34
020 152 00010	ST 479,460	319,640	159,820	\$ 553.00	\$ 752.38	\$ 376.19
	CU	-	-	\$ -	\$ -	\$ -
	SU	-	-	\$ -	\$ -	\$ -
	6,151,480	4,100,987	2,050,493	\$ 13,904.02	\$ 9,653.06	\$ 4,826.53
Howard Johnson's						
112 King E	CT 3,282,000	2,188,000	1,094,000	\$ 7,725.30	\$ 5,150.20	\$ 2,575.10
	GT 187,000	124,667	62,333	\$ 440.17	\$ 293.45	\$ 146.72
ct 02015150430						
gt 02015150460	3,469,000	2,312,667	1,156,333	\$ 8,165.47	\$ 5,443.64	\$ 2,721.82

CITY OF HAMILTON

BY-LAW NO. 01-181
(to amend By-Law 01-157)Schedule "E"
Page 5 of 7

2001 Tax Rates and Levy - Business Improvement Areas

Table 7 - King Street West

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 3,939,629	2.4256	9,555,964	0.00	\$ 9,555,964	0.001776817	\$ 7,000.00
- vacant bldg, excess land	CU \$ -	1.6979	-	0.30	\$ -	0.000870640	-
3c Commercial - Shopping	ST \$ -	2.4256	-	0.00	\$ -	0.001776817	-
- vacant bldg, excess land	SU \$ -	1.6979	-	0.30	\$ -	0.000870640	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ -	2.4256	-	0.00	\$ -	0.001776817	-
4a Industrial - Residual	IT \$ -	3.8354	-	0.00	\$ -	0.002809533	-
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	\$ -	0.001187028	-
4b Industrial - Large	LT \$ -	4.5624	-	0.00	\$ -	0.003342051	-
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	\$ -	0.001412017	-
Total	\$ 3,939,629		\$ 9,555,964		\$ 9,555,964		\$ 7,000.00

Approved 2001 Budget \$ 7,000 divided by assessment vacancy adjusted \$ 9,555,964 equals tax rate 0.000732527 at ratio 1.00.

Table 8 - Main Street West

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 7,699,481	2.4256	18,675,861	0.00	\$ 18,675,861	0.000376649	\$ 2,900.00
- vacant bldg, excess land	CU \$ -	1.6979	-	0.30	\$ -	0.000184558	-
3c Commercial - Shopping	ST \$ -	2.4256	-	0.00	\$ -	0.000376649	-
- vacant bldg, excess land	SU \$ -	1.6979	-	0.30	\$ -	0.000263654	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ -	2.4256	-	0.00	\$ -	0.000376649	-
4a Industrial - Residual	IT \$ -	3.8354	-	0.00	\$ -	0.000595563	-
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	\$ -	0.000387116	-
4b Industrial - Large	LT \$ -	4.5624	-	0.00	\$ -	0.000708446	-
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	\$ -	0.000460490	-
Total	\$ 7,699,481		\$ 18,675,861		\$ 18,675,861		\$ 2,900.00

Approved 2001 Budget \$ 2,900 divided by assessment vacancy adjusted \$ 18,675,861 equals tax rate 0.000155281 at ratio 1.00.

CITY OF HAMILTON

BY-LAW NO. 01- 181
(to amend By-Law 01-157)

Schedule "E"
Page 6 of 7

2001 Tax Rates and Levy - Business Improvement Areas

Table 9 - Flamborough

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 30,403,708	2.4256	73,747,234	0.00	\$ 73,747,234	0.000634140	\$ 19,280.20
- vacant bldg, excess land	CU \$ 97,520	1.6979	165,581	0.30	\$ 115,907	0.000310728	\$ 30.30
3c Commercial - Shopping	ST \$ 15,737,910	2.4256	38,173,874	0.00	\$ 38,173,874	0.000634140	\$ 9,980.03
- vacant bldg, excess land	SU \$ 158,650	1.6979	269,375	0.30	\$ 188,563	0.000310728	\$ 49.30
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 826,000	2.4256	2,003,546	0.00	\$ 2,003,546	0.000634140	\$ 523.80
4a Industrial - Residual	IT \$ 136,000	3.8354	521,614	0.00	\$ 521,614	0.001002713	\$ 136.37
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	-	0.000423646	-
4b Industrial - Large	LT \$ -	4.5624	-	0.00	-	0.001192766	-
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	-	0.000503944	-
Total	\$ 47,359,788		\$ 114,881,225		\$ 114,750,738		\$ 30,000.00

Approved 2001 Budget \$ 30,000 divided by assessment vacancy adjusted \$ 114,750,738 equals tax rate 0.000261436 at ratio 1.00.

Table 10 - Stoney Creek

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 5,296,635	2.4256	12,847,518	0.00	\$ 12,847,518	0.002866915	\$ 15,185.00
- vacant bldg, excess land	CU \$ -	1.6979	-	0.30	-	0.001404788	-
3c Commercial - Shopping	ST \$ -	2.4256	-	0.00	-	0.002866915	-
- vacant bldg, excess land	SU \$ -	1.6979	-	0.30	-	0.001404788	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ -	2.4256	-	0.00	-	0.002866915	-
4a Industrial - Residual	IT \$ -	3.8354	-	0.00	-	0.004533214	-
- vacant bldg, excess land,	IU \$ -	2.4930	-	0.35	-	0.001915283	-
4b Industrial - Large	LT \$ -	4.5624	-	0.00	-	0.005392437	-
- vacant bldg, excess land	LU \$ -	2.9655	-	0.35	-	0.002278305	-
Total	\$ 5,296,635		\$ 12,847,518		\$ 12,847,518		\$ 15,185.00

Approved 2001 Budget \$ 15,185 divided by assessment vacancy adjusted \$ 12,847,518 equals tax rate 0.00118194 at ratio 1.00.

CITY OF HAMILTON

BY-LAW NO. 01- 181
(to amend By-Law 01-157)

Schedule "E"
Page 7 of 7

2001 Tax Rates and Levy - Business Improvement Areas

Table 11 - Dundas

Property Class	Current Value Assessment	Ratio	Weighted Assessment	Vacancy Reductions	Assessment Vacancy Adjusted	BIA Tax Rate	BIA Levy
3a Commercial - Residual	CT \$ 13,702,592	2.4256	33,237,007	0.00	\$ 33,237,007	0.007249743	\$ 99,340.27
- vacant bldg, excess land	CU	1.6979	-	0.30	-	0.003552374	-
3c Commercial - Shopping	ST \$	2.4256	-	0.00	-	0.007249743	-
- vacant bldg, excess land	SU \$	1.6979	-	0.30	-	0.003552374	-
3b Commercial - Parking Lot & Vacant Lan	GT & CX \$ 91,000	2.4256	220,730	0.00	220,730	0.007249743	\$ 659.73
4a Industrial - Residual	IT \$	3.8354	-	0.00	-	0.011463417	-
- vacant bldg, excess land,	IU \$	2.4930	-	0.35	-	0.004843294	-
4b Industrial - Large	LT \$	4.5624	-	0.00	-	0.013636188	-
- vacant bldg, excess land	LU \$	2.9655	-	0.35	-	0.005761289	-
Total	\$ 13,793,592		\$ 33,457,737		\$ 33,457,737		\$ 100,000.00
Approved 2001 Budget \$ 100,000	divided by assessment vacancy adjusted		\$ 33,457,737	equals tax rate		0.002988845 at ratio 1.00.	

Bill No. 182

CITY OF HAMILTON

BY-LAW NO. 01-182

**A BY-LAW IMPOSING SPECIAL ANNUAL DRAINAGE RATES
UPON LAND IN RESPECT OF WHICH MONEY IS BORROWED
UNDER THE *TILE DRAINAGE ACT*, R.S.O. 1990**

WHEREAS owners of land in the municipality have applied to Council under the Tile Drainage Act, R.S.O. 1990 for loans for the purpose of constructing subsurface drainage works on such land;

AND WHEREAS the Council upon application will lend the owners the total sum of \$20,000.00 to be repaid with interest by means of rates hereinafter imposed;

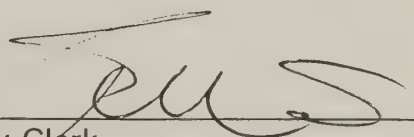
NOW THEREFORE the Council of the Corporation of the Township of Glanbrook enacts as follows:

1. THAT the Annual Rates as set out in the Schedule "A" attached hereto are hereby imposed upon such land as described for a period of ten years, such rates to be levied and collected in the same manner as taxes.

PASSED and enacted this 22nd day of August, 2001.



Mayor



Acting City Clerk

THE CITY OF HAMILTON

SCHEDULE "A"
TO BY-LAW NO. 01-182

Name & Address of Owner	Description of Land Drained	Proposed Date of Loan	Sum to be Loaned \$	Annual Rate to be Imposed
Robert & Lesya Dyk 52 Strathcona Ave. S. Hamilton, ON L8P 4H9	Lot 12 Conc. 4 (formerly in the Township of Saltfleet) 892 Ridge Road.	Sept. 1, 2001	\$20,000.00	\$2980.00

CITY OF HAMILTON

BY-LAW NO. 01-183

A BY-LAW TO PROVIDE TAX ASSISTANCE TO CERTAIN ELDERLY AND DISABLED RESIDENTS WHO ARE OWNERS OF REAL PROPERTY IN THE NEW CITY OF HAMILTON

WHEREAS section 373(2) of the Municipal Act, R.S.O. 1980, c.M.45, as amended, requires the Municipality to pass a by-law providing for deferrals or cancellations of, or other relief in respect of all or part of the tax increases on property in the residential/farm property class for owners who are, or whose spouses are low-income seniors or low-income persons with disabilities for the purpose of relieving financial hardship;

NOW THEREFORE THE Council of The New City of Hamilton ENACTS AS FOLLOWS:

A. Definitions

1.
 - a) "eligible amount" means the tax increase for any single year;
 - b) "eligible person" means a low-income person with disabilities, low-income senior or the spouses of such persons;
 - c) "eligible property" means residential real property in the City of Hamilton including condominiums that is the principle residence of the owner as defined in the Income Tax Act (Canada);
 - d) "low-income person with disabilities" means a person who is in receipt of assistance paid under the Ontario Disability Support Program Act, 1997, or in receipt of a disability amount paid under the Family Benefits Act (Ontario), or is in receipt of a disability amount paid under the Guaranteed Annual Income Systems program for the disabled and in addition to receiving said amount from the Guaranteed Annual Income Systems program, is eligible to claim a disability amount as defined under the Income Tax Act;
 - e) "low-income senior" means a person who is 65 years of age or older and in receipt of an increment paid under the Guaranteed Income Supplement (GIS), as established under Part II of the Old Age Security Act (Canada);
 - f) "Treasurer" means the General Manager of Finance and Corporate Services or designate.

B. Applications for deferral

2. Eligible persons may, on or before the last day of February in each and every year, make application to the Treasurer for deferral of tax increases for the previous year.
3. All applications for tax deferral must be in writing and on the form prescribed by the City of Hamilton from time to time for this purpose.
4. Eligible persons must apply for the tax deferral program on an annual basis to continue to be eligible for the deferral program.
5. Applications must include documentation in support thereof to establish that the applicant is an eligible person and that the property with respect to which the application is made is eligible property.
6. Applications must include an authorisation signed by the applicant authorizing the release by third parties of all information the treasurer may require to verify the accuracy of any information submitted with the application.

C. Evaluation of Applications

7. Upon receipt of an application for deferral, the Treasurer shall review the application and determine whether or not the applicant and the property are eligible.
8. Questions as to the application of this by-law may be referred to the Commissioner of Finance and Treasurer whose determination shall be final.
9. The Treasurer may, at any time, request the applicant to provide such additional information and/or documentation as he may require to evaluate the application and the application shall not be further processed until satisfactory information and/or documentation has been received.
10. In the event that an applicant fails to provide the information requested by the Treasurer within one (1) month of the date of the request, the application shall be deemed to have been abandoned and shall not be further processed.

D. Granting of Assistance

11. Upon the determination by the Treasurer that the applicant and the property meet all the requirements for assistance, tax relief shall be granted in accordance herewith.
12. Tax relief granted pursuant to this policy shall be in the form of a deferral of the eligible amount without interest (subject to Section 16).
13. Subject to Section 14, annual eligible amounts shall be deferred until the property is sold at which time the total deferred amounts without interest thereon become a debt payable to the City of Hamilton.

14. (1) Notwithstanding anything herein to the contrary, where an applicant and the applicant's spouse each own an eligible property, tax relief pursuant to this by-law shall be limited to a deferral on only one of the eligible properties. Where an applicant and an applicant's spouse shall be required to select which one of the eligible properties they wish to designate as the one on which the deferral shall apply.
- (2) Where a designation has been made under section 12(1), the designation shall not be changed without the consent of the Treasurer, which consent may be withheld for any reason.
15. Notwithstanding anything herein to the contrary, no person is eligible for relief under this policy unless the applicant or the spouse of the applicant or both have owned and been assessed as the owner of the eligible property for a period of not less than one year immediately preceding the date of application for relief.
16. If, at any time, an eligible person for whom tax relief has been granted pursuant to this by-law ceases to be an eligible person, all tax relief ceases and all deferred amounts, without interest thereon, immediately become a debt payable to the City of Hamilton.
17. Tax relief granted pursuant to this by-law for any year shall be limited to one (1) single family dwelling unit per owner.

E. Interest

18. Where an amount deferred becomes payable under sections 11 or 14, and the amounts due are not immediately repaid, such outstanding amounts shall be subject to interest and penalties in accordance with the applicable tax collection by-laws.

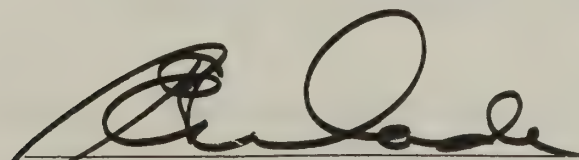
F. Lien upon the Lands

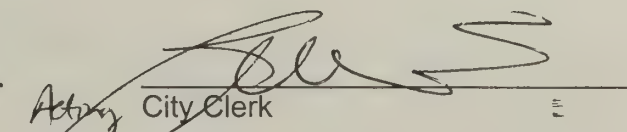
19. The amount of tax relief granted shall represent a lien against the respective eligible property in accordance with sections 373(12) and 382 of the Municipal Act.

G. General

20. The policies adopted herein shall come into force and take effect on January 1, 2001.

PASSED and enacted this 22nd day of August, 2001.


Mayor


Acting City Clerk

CITY OF HAMILTON

BY-LAW NO. 01-184

BEING A BY-LAW TO APPOINT MUNICIPAL LAW ENFORCEMENT
OFFICERS FOR THE CITY OF HAMILTON.

WHEREAS Section 15 of the Police Services Act R.S.O. 1990, c.P.15 authorizes the council of any municipality to appoint one or more Municipal Law Enforcement Officers, who shall be peace officers for the purposes of enforcing the by-laws of the municipality.

AND WHEREAS the Municipal Act, R.S.O. 1990, c.M.45, Sec.207, Par 45, authorizes the council of any municipality to appoint certain officers or such officers and employees as may be necessary for the purposes of the corporation, or for carrying into effect any Act of Legislature or by-law of the council, and for fixing their remuneration and prescribing their duties, and the security to be given for the performance of them.

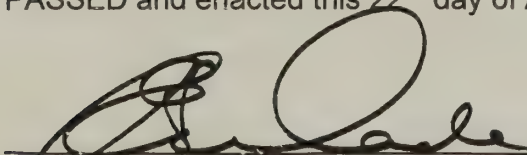
AND WHEREAS the Municipal Act, R.S.O. 1990, c.M.45, Sec.210, Par 46, enables local municipalities to pass by-laws to authorize appointed officers to enter property to ascertain whether the by-law is obeyed and to enforce or carry into effect the by-law.

NOW THEREFORE, the Council of the City of Hamilton enacts as follows:

1. The following be appointed as Municipal Law Enforcement Officers for the City of Hamilton:

Ray Baglole	Jim Gordon
Fran Beauchamp	Ron Kirouac
Paul Brown	Shawn Lozicki
Kim Coombs	Jeff Turner
Vince Cosentino	Carmela Vidic
2. That the city officers whose names appear in Section 1 of this By-law are hereby authorized at all reasonable times to enter on any property in the City to ascertain whether a city by-law is complied with, and to enforce or carry into effect any city by-law respecting the property or the occupants, thereof;
3. And further, that the city officers whose names appear in Section 1 of this By-law are hereby appointed as Municipal Law Enforcement Officers for the purpose of exercising all the powers and performing all the duties of a Municipal Law Enforcement Officer in the enforcement of the by-law of the City of Hamilton;

PASSED and enacted this 22nd day of August, 2001.


Mayor


Acting City Clerk

Bill No. 185

City of Hamilton

BY-LAW NO. 01- 185

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

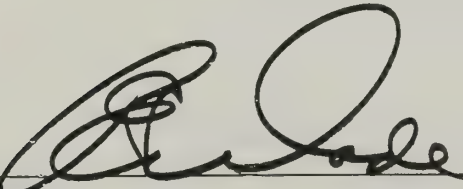
"Glenholme

Northbound and Southbound

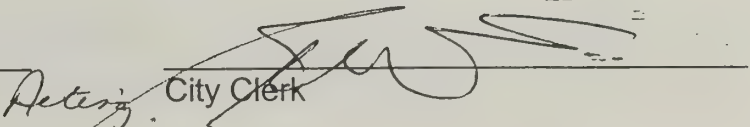
Glendee"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 22nd day of August, 2001.



Mayor



City Clerk

CITY OF HAMILTON

BY-LAW NO. 01-186

Respecting:

**REMOVAL OF PART LOT CONTROL FOR LANDS WITHIN
"GOVERNOR'S LANE ESTATES – PHASE II, STAGE 2"
REGISTERED PLAN OF SUBDIVISION 62M-735**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as "The Town of Dundas" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the City of Hamilton pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

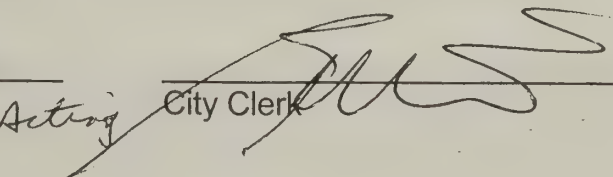
1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating 10 lots, being parts 1 to 8 inclusive and parts 10 to 17 inclusive, Reference Plan 62R-14607, to be developed as ten single detached dwellings, shall not apply to the following lands:

Blocks 192 and 193, Registered Plan Number 62M-735, in the City of Hamilton.
2.
 - (a) This by-law shall come into force and effect on the date of its approval by the Director, Development Division, Planning and Development Department.
 - (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
 - (c) This By-law shall expire on August 22, 2003.

PASSED and enacted this 22nd day of August, 2001.



Mayor



Acting City Clerk

CITY OF HAMILTON

BY-LAW NO. 01-187

Respecting:

REMOVAL OF PART LOT CONTROL FOR LANDS WITHIN
"SHADYGLEN STAGE 1"
REGISTERED PLAN OF SUBDIVISION 62M-918

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The City of Stoney Creek" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS Subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part lot control on land within a registered plan of subdivision;

AND WHEREAS Subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** – Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** – A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** – An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorised to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** – A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

**By-law to remove lands within
Blocks "170" and "171", 62M-918
from Part Lot Control**

Page 2

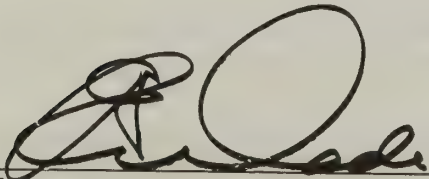
- (7.4) **Extension of time period.** – The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** – The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

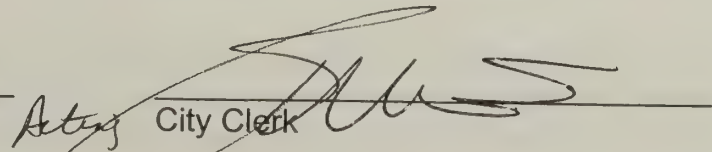
1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating lots for street townhouse dwellings and maintenance easements shall not apply to the following lands:

Blocks "170" and "171", Registered Plan No. 62M-918, in the former City of Stoney Creek.
2. This by-law shall come into force and effect on the date of its approval by the Director, Development Division, Planning and Development Department.
3. Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.
4. This By-law shall expire on September 1, 2002.

PASSED and enacted this 22nd day of August, 2001.



Mayor



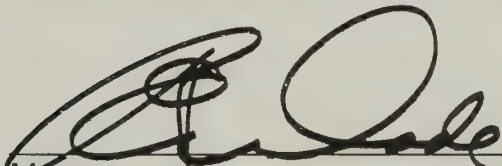
City Clerk

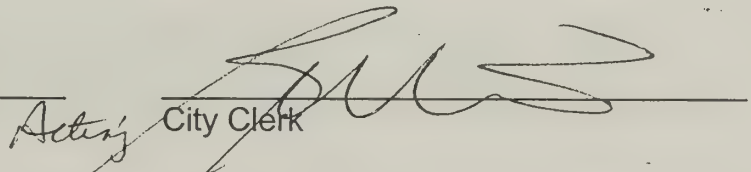
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That By-law No. 76-46, as amended, is hereby further amended by adding to Schedule "D" thereof (Stop Streets), and under Columns 1 and 2, the following item, namely:-

"Falling Brook Drive On Falling Brook Drive Woodview Crescent"
and Woodview Crescent
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 76-46 (Ancaster), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 22nd day of August, 2001.


Mayor


Acting City Clerk

City of Hamilton

BY-LAW NO. 01-189

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That **Schedule 10 (Stops at Intersections)** of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:-

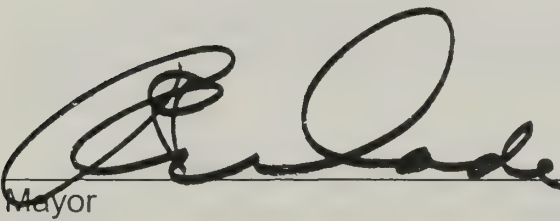
"Deerborn

Northbound

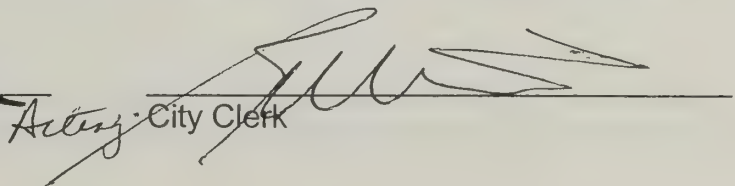
Southampton"

2. Subject to the amendment made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 22nd day of August, 2001.



Mayor



Acting City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01- 190

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-15251
INTO BEDDOE DRIVE

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Beddoe Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

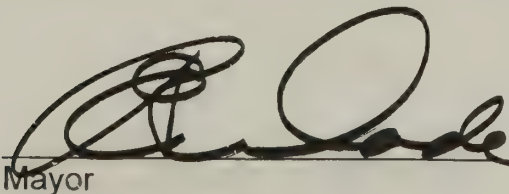
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Beddoe Drive;

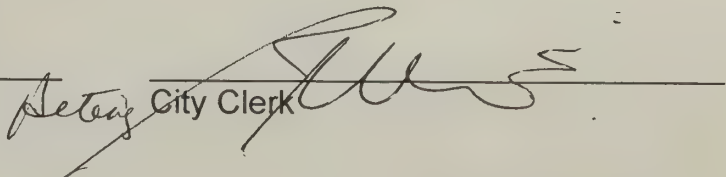
**Part Lot 10, RCP 1479, Designated as Part 1 on Reference Plan 62R-15251
City of Hamilton**

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and enacted this 22nd day of August, 2001.



Mayor



City Clerk

Bill No. 191

THE CITY OF HAMILTON

BY-LAW NO. 01- 191

TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON 62R-10277
INTO CENTENNIAL PARKWAY

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Centennial Parkway within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

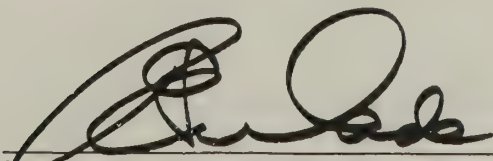
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Centennial Parkway.

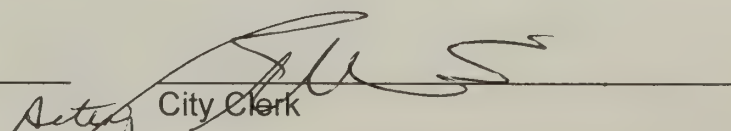
**Part Lot 27, Con. 2, in the Geographic Township of Saltfleet, designated as Part 1 on Reference Plan 62R-10277
City of Hamilton**

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and enacted this 22nd day of August, 2001.



Mayor



City Clerk

THE CITY OF HAMILTON

BY-LAW NO. 01- 192

TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 33 ON 62M-744
INTO CHUDLEIGH STREET

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Chudleigh Street within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

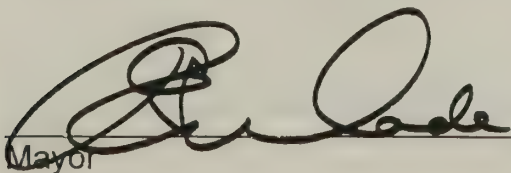
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

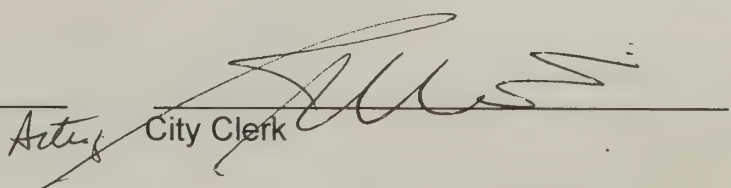
1. That the following land is hereby established and laid out as a public highway to form part of Chudleigh Street.

**Part Lot 8, Concession 3, in the Geographic Township of East Flamborough,
designated as Block 33 on Plan 62M-744.
City of Hamilton**

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and enacted this 22nd day of August, 2001.


Mayor


City Clerk

Bill No. 193

THE CITY OF HAMILTON

BY-LAW NO. 01- 193

TO INCORPORATE CITY LAND
DESIGNATED AS PART 13 ON 62R-11054
INTO FIELDWAY DRIVE

WHEREAS the Council of the City of Hamilton is empowered under Section 297(1) of The Municipal Act, R.S.O. 1990, Chapter M.45 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway.

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Fieldway Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton.

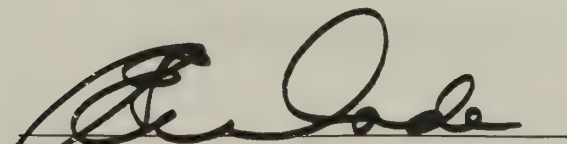
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Fieldway Drive.

**Part Lot 11, Con. 6, in the Geographic Township of Barton, designated as Part 13 on Reference Plan 62R-11054
City of Hamilton**

2. That the General Manager of Transportation, Operations & Environment or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and enacted this 22nd day of August, 2001.


Mayor


Acting City Clerk

Authority: Item 1 Hearings Subcommittee
Report 01-012 (PD01064)
CM: May 29, 2001

Bill No. 194

City of Hamilton

BY-LAW NO. 01-194

To Amend:

Zoning By-law No. 87-57 (Ancaster), as amended

Respecting:

LANDS LOCATED AT 120 WILSON STREET WEST
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987;

AND WHEREAS this By-law shall be in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster) upon the approval of Official Plan Amendment No. 80.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing from the Existing Residential "ER" District to the Residential "R3-460" District those lands located within part of lot 41, concession 3, geographic township of Ancaster, more particularly shown on Schedule "A" which forms part of this By-law.
2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

R3-460 Notwithstanding any provisions of Sub-section 11.3.1 – Permitted Uses of Section 11: Residential "R3" Zone of Zoning By-law No.87-57 (Ancaster), the following use shall be permitted as it affects the lands zoned Residential "R3-460" District by this by-law, described as part of lot 41, concession 3, geographic township of Ancaster and municipally known as 120 Wilson Street West (former Town of Ancaster), shall be subject to the following:

1.0 Permitted Uses:

Only the following additional uses shall be permitted:

First Floor: Animal Hospital without outside runs
Professional Office Uses

Second Floor: One accessory residential apartment unit

2.0 Notwithstanding Sub-section 11.3.2 – Regulations of Section 11: Residential "R3" Zone of Zoning by-law No. 87-57 (Ancaster) the following shall be provided and maintained:

A minimum Front Yard setback of 6.7 metres

A maximum Lot Coverage of 15 %

A minimum Rear Yard setback of 9 metres.

3.0 Notwithstanding Section 7.12 (c) of Section 7: General Provisions of Zoning By-law No. 87-57 (Ancaster) the following shall be permitted:

Unenclosed porches that project into any minimum front yard a distance of not more than 2.0 metres;

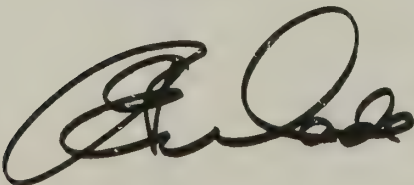
4.0 Notwithstanding Section 7: General Provisions of Zoning By-law No. 87-57 (Ancaster) the following shall be provided and maintained:

- (i) A minimum of one parking space for each 25 square metres of ground floor area plus 2 parking spaces for the remaining floor area (second storey residential);
- (ii) A landscaping strip a minimum of 3 metres in width shall be provided between the boundary of the parking area and any lot line adjoining a Residential Zone except for the eastern property line abutting 118 Wilson Street West, the landscaping strip shall be a minimum of 1.5 metres wide; and,
- (iii) Where parking is provided in the rear yard, a visual barrier not less than 1.2 metres in height and not more than 1.8 metres in height shall be provided along the adjacent lot lines.

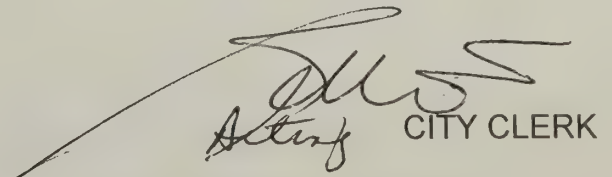
R3-460.1 All other regulations of the Residential "R3" Zone shall apply."

- 3. This by-law will come into effect in accordance with Section 34 of the Planning Act, R.S.O., 1990, Chap. P. 13, as amended.
- 4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED this 22nd day of August A. D. 2001



MAYOR



CITY CLERK

WILSON STREET WEST

N48°12'30"E 22.56

N42°00'E 71.74

N47°57'40"E 1.19

N41°47'30"E 57.91

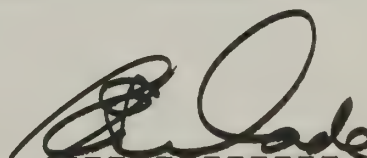
N48°12'30"E 23.06

N56°26'E 45.16

N41°47'30"E 7.37

This is Schedule "A" to By-Law No. 01-194
Passed the 22nd day of August, 01.


Acting Clerk


Mayor

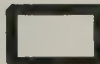
City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 01-194
to Amend By-Law No. 87-57

Planning and Development Department

Legend



Change in zoning from "ER" Zone
to a Residential "R3-460" Zone

North



Scale

NOT TO SCALE

Reference File No.

OP-00-07 & ZB-00-23

Date

April 3, 2001

Drawn By

PB

Authority: Item 1 Hearings Subcommittee
Report 01-016 (PD01122)
CM: June 26, 2001

Bill No. 195

City of Hamilton

BY-LAW NO. 01-195

To Amend:

Zoning By-law No. 87-57 (Ancaster), as amended

Respecting:

LANDS LOCATED AT 600 OLD DUNDAS ROAD
(former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing from the Residential Multiple "RM4-444" District to the Residential "R3-467" District those lands located within part of lots 46 and 47, concession 2, more particularly shown on Schedule "A" which forms part of this By-law.
2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsection:

 "R3-467 Notwithstanding any provision to the contrary of Subsection 11.3.2 – Regulations of Section 11.3: Residential "R3" District or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned R3-467, described as part of lot 46 and 47, concession 2, shall be subject to the following:

 1.0 That notwithstanding Section 11.3.2 (b), the minimum lot frontage shall be 14.5 metres; and

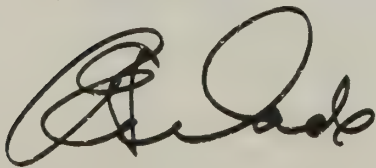
 2.0 That notwithstanding Section 11.3.2 (a), the minimum lot area for a corner lot shall be 660 square metres.

 R3-467.1 All other regulations of the Residential "R3" Zone shall apply."
3. This by-law will come into effect in accordance with Section 34 of the Planning Act, R.S.O., 1990, Chap. P. 13, as amended.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

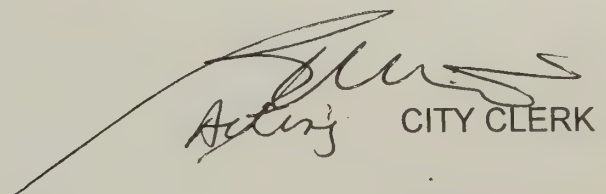
PASSED this 22nd

day of August

A. D. 2001



MAYOR


Acting CITY CLERK

Authority:

Item 1 Hearing Sub Committee
Report 01-012 (PD01064)
CM: May 29, 2001

Bill No.196

AMENDMENT NO. 80

TO THE

OFFICIAL PLAN

FOR THE

TOWN OF ANCASTER

PREPARED BY

THE PLANNING AND DEVELOPMENT DEPARTMENT

OF THE CITY OF

HAMILTON

JANUARY 2001

File OP-00-07

AMENDMENT NO. 80

TO THE

OFFICIAL PLAN

FOR THE

TOWN OF ANCASTER

CONTENTS OF THIS DOCUMENT

PART 1 - THE CERTIFICATION

- 1.0 Certification
- 2.0 By-law of Adoption

PART 2 - THE AMENDMENT

- 1.0 Purpose
- 2.0 Location
- 3.0 Basis
- 4.0 Actual Change

PART 3 - THE APPENDIX

- 1.0 Excerpt from the Report of
- 2.0 Report
- 3.0 Notice of Public Meeting
- 4.0 Minutes of the Public Meeting

CITY OF HAMILTON COUNCIL

2001 - 2003

MAYOR

R. Wade

COUNCILLORS

M. Caplan
A. Horwath
B. Morelli
S. Merulla
C. Collins
T. Jackson
B. Kelly
F. D'Amico
A. Bain
L. Di Ianni
D. Mitchell
M. Ferguson
R. Powers
D. Braden
M. McCarthy

PART 2 - THE AMENDMENT

1.0 PURPOSE

The purpose of this amendment is to create a Specific Policy Area in order to allow an animal hospital and office uses on lands that are designated "Residential".

2.0 LOCATION

The subject property is approximately 0.18 hectares (0.45 acres) in area and is situated at 120 Wilson Street West, in part of lots 41, Concession 3, geographic township of Ancaster (in the former Town of Ancaster).

3.0 BASIS

This amendment is the result of an application by Leanne Baehrle and Slawosz Debski. The applicants wish to relocate an existing animal hospital from 110 Wilson Street West to 120 Wilson Street West, a property that is designated "Residential" and occupied by a building that was originally constructed for residential purposes. The existing building would be expanded at the rear by a one-storey addition of 100 square metres (1,076 square feet). The subject property (120 Wilson Street West) is located between two properties that have commercial usage: a chiropractic office at 124 Wilson Street West and a travel agency at 118 Wilson Street West.

4.0 ACTUAL CHANGE

4.1 Text

Section 5: Specific Policy Areas is hereby amended by adding Subsection 5.7.46 as follows:

"5.7.46 Notwithstanding the "Residential" designation, an animal hospital and professional office uses shall be permitted on the lands at 120 Wilson Street West, and identified as Specific Policy Area 51 on Schedule "F". "

4.2 Schedules

Schedule "F", Specific Policy Areas, is hereby amended by adding Specific Policy Area 51, as shown on Schedule "A" to this amendment.

5.0 IMPLEMENTATION

An amendment to the Zoning By-law (No. 87-57) will give further effect to the policies of this amendment.

PART 3 - THE APPENDIX

- 1.0 Excerpt from the Report
- 2.0 Report
- 3.0 Notice of Public Meeting
- 4.0 Minutes of the Public Meeting

SCHEDULE "A"
TO AMENDMENT No. 80
TO THE OFFICIAL PLAN
FOR THE TOWN OF ANCASTER

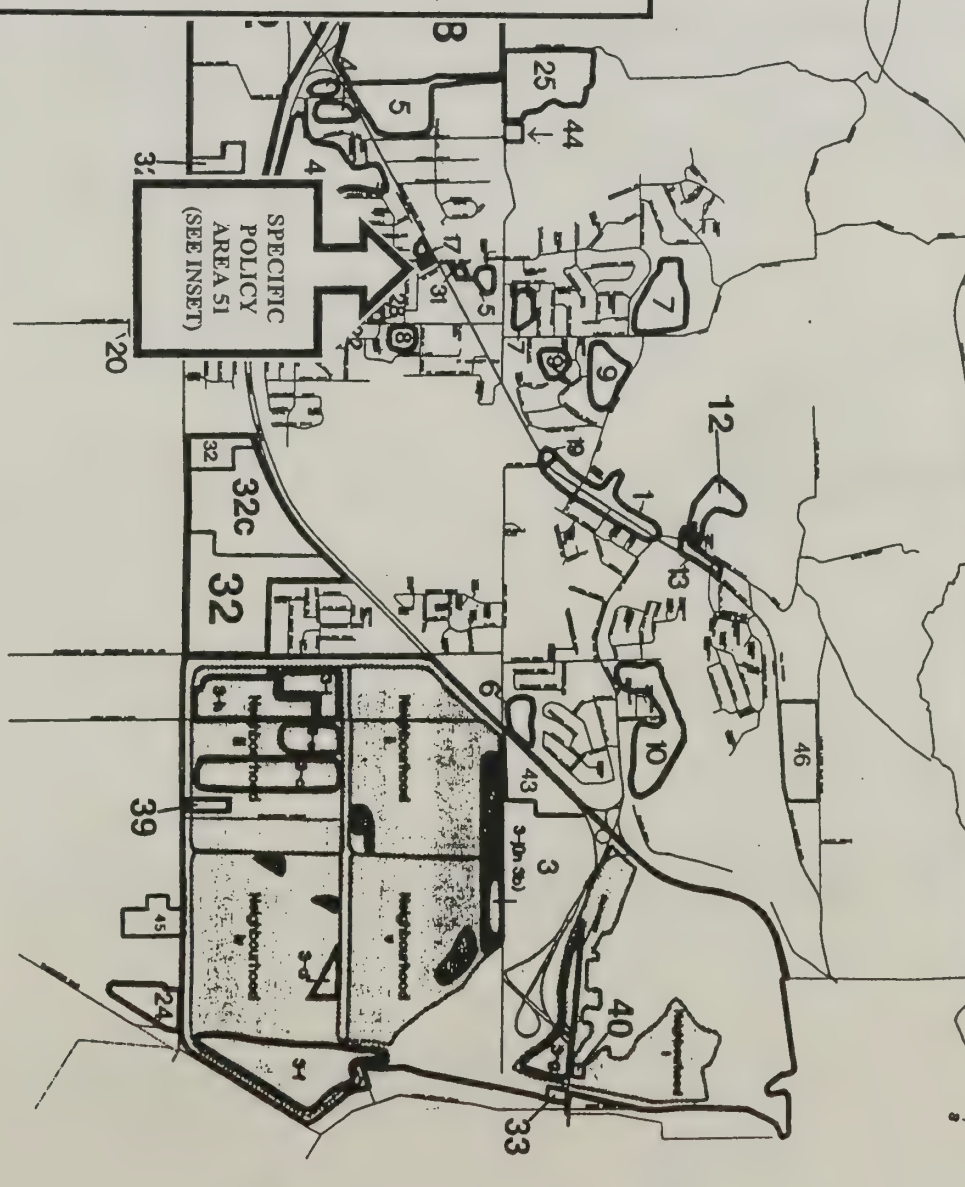
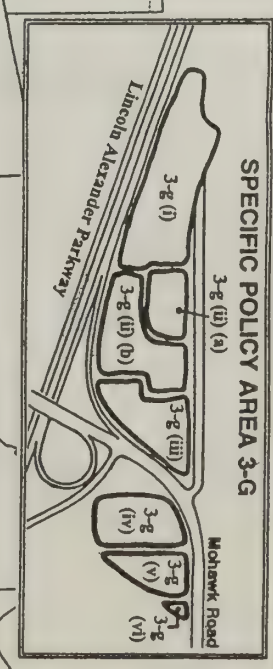
ADD SPECIFIC POLICY AREA 51
- POLICY 5.7.46

INSET MAP

SPECIFIC POLICY AREA 51
120 WILSON STREET WEST



TOWN OF DUNDAS



Legend

Specific Policy Areas
 Area 1 - refer to
 Area 2 - refer to
 Area 3 - refer to

- [Symbol] 3-a-1
- [Symbol] 3-b-1
- [Symbol] 3-c-1
- [Symbol] 3-d-1
- [Symbol] 3-e-1
- [Symbol] 3-f-1
- [Symbol] 3-g-1
- [Symbol] 3-h-1
- [Symbol] 3-i-1
- [Symbol] 3-j-1
- [Symbol] 3-k-1
- [Symbol] 3-l-1
- [Symbol] 3-m-1
- [Symbol] 3-n-1
- [Symbol] 3-o-1
- [Symbol] 3-p-1
- [Symbol] 3-q-1
- [Symbol] 3-r-1
- [Symbol] 3-s-1
- [Symbol] 3-t-1
- [Symbol] 3-u-1
- [Symbol] 3-v-1
- [Symbol] 3-w-1
- [Symbol] 3-x-1
- [Symbol] 3-y-1
- [Symbol] 3-z-1

Neighbourhood
Policy Area Bk

SPECIFIC AREA
SCHEDULE
 TO BE OFF
 THE TOWN OF



THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 2001- 196

The Council of the Corporation of the City of Hamilton, in accordance with the provisions of Sections 17 and 21 of The Planning Act, hereby enacts as follows:

- 1) That Amendment No. 80 to the Official Plan for the Town of Ancaster, consisting of the attached text and schedule is hereby adopted.
- 2) It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.
- 3) That this by-law shall come into force and take effect on the day of the final passing thereof.

Enacted and passed this 22 day of August , 2001.

Signed

CLERK

Signed

MAYOR

CORPORATE
SEAL OF
MUNICIPALITY

Certified that the above is a true copy of By-law No. 2001- 196 as enacted and passed by the Council of the City of Hamilton on the 22 day of August , 2001.

Signed

CLERK OF THE MUNICIPALITY

Bill No. 197

City of Hamilton

BY-LAW NO. 01-197

To Adopt Amendments to

THE DOWNTOWN HAMILTON COMMUNITY IMPROVEMENT PLAN

WHEREAS By-law No. 96-188 (pursuant to subsection (28(2) of the Planning Act, R.S.O. 1990, Chapter p.13), designated an area of the municipality as the "Downtown Hamilton Community Improvement Project Area";

AND WHEREAS By-law 96-188, was amended by By-law No. 00-177 to include in the "Downtown Hamilton Community Improvement Project Area", two additional districts defined in the amending By-law, which additional districts, together with the original Community Improvement Project Area designated by By-law No. 96-188, now constitute the "Downtown Hamilton Community Improvement Project Area";

AND WHEREAS the "Downtown Hamilton Community Improvement Plan" was adopted and subsequently amended, (in accordance with the Planning Act, R.S.O. 1990, Chapter P.13, section 28), by By-laws No. 97-140, 98-122, 98-212, 98-289, 00-176, 00-178, 00-213 and 01-177 (hereinafter the said Plan, as amended, may be referred to as the "Plan", or as the "Downtown Hamilton Community Improvement Plan").

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C).

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipality, The Corporation of the City of Hamilton;

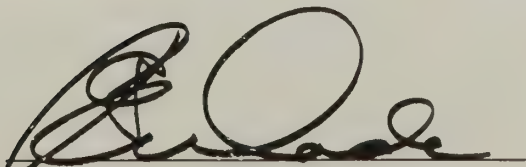
AND WHEREAS the City Of Hamilton, as the successor municipality, in respect of the said By-laws, is entitled to the benefit of all such By-laws and is entitled to amend such By-laws in accordance with the said provisions of the Planning Act;

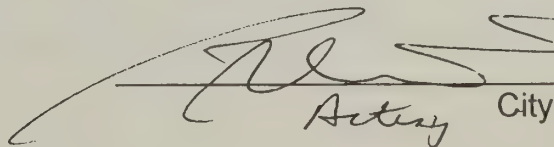
AND WHEREAS all references in the said By-laws in respect of the said Community Improvement Project Area and Community Improvement Project Plan to The Corporation of the City of Hamilton do now therefore mean and refer to the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The provisions of the Downtown Hamilton Community Improvement Plan as amended, as referred to above, are further amended and revised in accordance with the following provisions, that shall form part of the Plan.
 - (a) Add to the Plan a section titled "Community Improvement Initiatives", (Section 9) as "subsection 9 v)", a new initiative titled "Enterprise Zone Municipal Realty Tax Incentive Grant Program".
 - (b) Add to the said new Section 9 v) of the Plan, the "Enterprise Zone Municipal Realty Tax Incentive Grant Program's Description and Criteria" as set out in Appendix 'A' to this amending By-law.
 - (c) Delete the original sub-title of subsection 9 v), "Increase in Assessment Rebate Program" and its provisions.
2. It is hereby authorized and directed that, as required by the Planning Act, the Clerk shall give notice of the adoption of the said amendments to the Downtown Hamilton Community Improvement Plan and shall submit the said Plan amendments to the Minister of Municipal Affairs and Housing for approval.
3. This By-law shall come into force and effect on the date the approval of the Minister of Municipal Affairs is valid and binding.

PASSED THIS 22nd day of August A.D. 2001.


Mayor


Acting City Clerk

ENTERPRISE ZONE

MUNICIPAL REALTY TAX INCENTIVE GRANT PROGRAM

Program Description:

The intent of the Enterprise Zone Municipal Realty Tax Incentive Grant Program is to provide an economic catalyst for developing, redeveloping or renovating residential/commercial lands and buildings located within the Enterprise Zone. The Enterprise Zone is defined in this plan amendment as that selected area of the Downtown Hamilton Community Improvement Project Area located within the Downtown Hamilton and International Village B.I.A. boundaries (as such boundaries are presently defined); such Enterprise Zone being illustrated in a map attached hereto.

This Enterprise Zone is intended to be a pilot project/test area for this community improvement initiative. This Enterprise Zone is a portion of the Downtown Hamilton Community Improvement Project Area.

This program authorizes for each approved grant application, a nine-year grant, the amount of which is subject to Council approval, in an amount not exceeding the increase in municipal realty taxes as a direct result of the development/redevelopment of the land and/or building. The grant which may be approved by Council, shall be an amount which does not exceed 100% of the municipal realty tax increase during the first 5 years, 80% in year 6, 60% in year 7, 40% in year 8 and 20% in year 9. For purposes of determining the eligible amount of the increase in municipal realty taxes, special charges, including B.I.A. levies, shall be excluded from the calculation. The grant would reduce the effect of an increase in municipal (City portion only) realty taxes attributable to the differential between the pre-renovation assessment and the post-renovation assessment.

The grants may be received by an owner in conjunction with any other available municipal program (excluding the City of Hamilton's Tax Incentive Program for designated commercial/industrial buildings) in support of redevelopment/development, including the municipality's loan and heritage programs. The approved grants are not assignable by the owner to anyone. The total of each property's nine years of approved grants shall not exceed the costs of the property's development/redevelopment.

Before any grant is applied to the applicable property tax account of a property for which a satisfactory grant application has been received and approved, realty taxes (less the amount of approved grant) are required to have been paid in full each year and, the property shall be in compliance with the program's requirements and conditions.

Grant Criteria:

Developing, redeveloping or renovating residential/commercial lands and buildings within the Enterprise Zone, are eligible for grant approval following the owner's grant application for Council approval. Such application shall be submitted and only received if it is prior to the owner's commencement of improvements/rehabilitation to their property and shall include plans, estimates, contracts and other details as may be required to satisfy the City as to the cost of the project and as to the conformity of the project with the objectives of the Downtown Hamilton Community Improvement Plan.

Such project is also required to be in compliance with the City's other by-laws and policies, including zoning, site plan approval, design guidelines, heritage matters, including preservation of listed historical buildings. The compliance of each application with the criteria of this program and the amount of the property's grants (within the permitted terms of this program) is within the discretion of and subject to Council approval.

For an existing building to qualify, it is also required to have at least 50% annualized commercial/residential vacancy rate. In this regard, the applicant shall, at a minimum, by affidavit confirm the annualized vacancy rate, provide a copy of a supporting letter from the B.I.A.s' Board of Management confirming the vacancy rate or, provide other satisfactory documentation confirming that the property, one year previous to the date of application, had at least a 50% vacancy rate.

The purpose of this program is to stimulate new development and the re-development of vacant or under-utilised commercial lands and buildings, including for example, the following properties:

- all parking lots and vacant sites are eligible (provided said vacant sites were existing as of July 1, 2001). Notwithstanding the foregoing, properties upon which commercial, residential or industrial buildings are cleared and demolished after July 1, 2001, may be declared by Council as eligible to apply where:
 - (i) the commercial, residential or industrial building(s) intended to be demolished or cleared after July 1, 2001 are not designated heritage building(s) and are not a building included in the City's list/inventory of heritage buildings; and,
 - (ii) prior to the clearance and demolition, the owner of the property informs Council of:
 - (aa) its plans for the demolition and clearance;
 - (bb) its plans for the re-development of the property;
 - (cc) its intention to apply for a Tax Grant under this program; and,
 - (iii) the proposed re-development of the cleared and demolished property shall be for residential and/or commercial uses expressly permitted by the Zoning By-law applicable to such property; and,
 - (iv) Council declares, after reviewing the property owner's submissions, the City's Official Plan, the City's design guidelines, and site plan considerations - that the proposed clearance or demolition of the building(s) and the proposed re-

development of the property - would be in conformity with the Downtown Hamilton Community Improvement Plan, including its goals and objectives; and,

(v) the demolition or clearance of the building(s) is not commenced until after Council's declaration is made and communicated to the property owner.

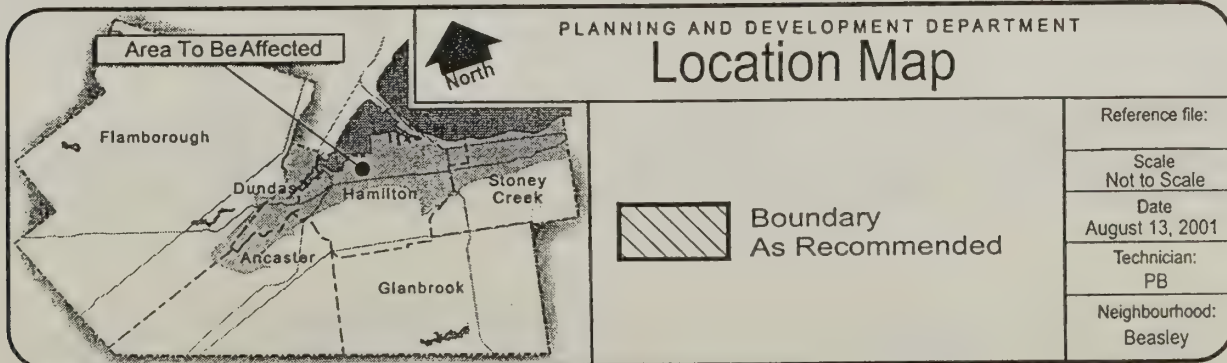
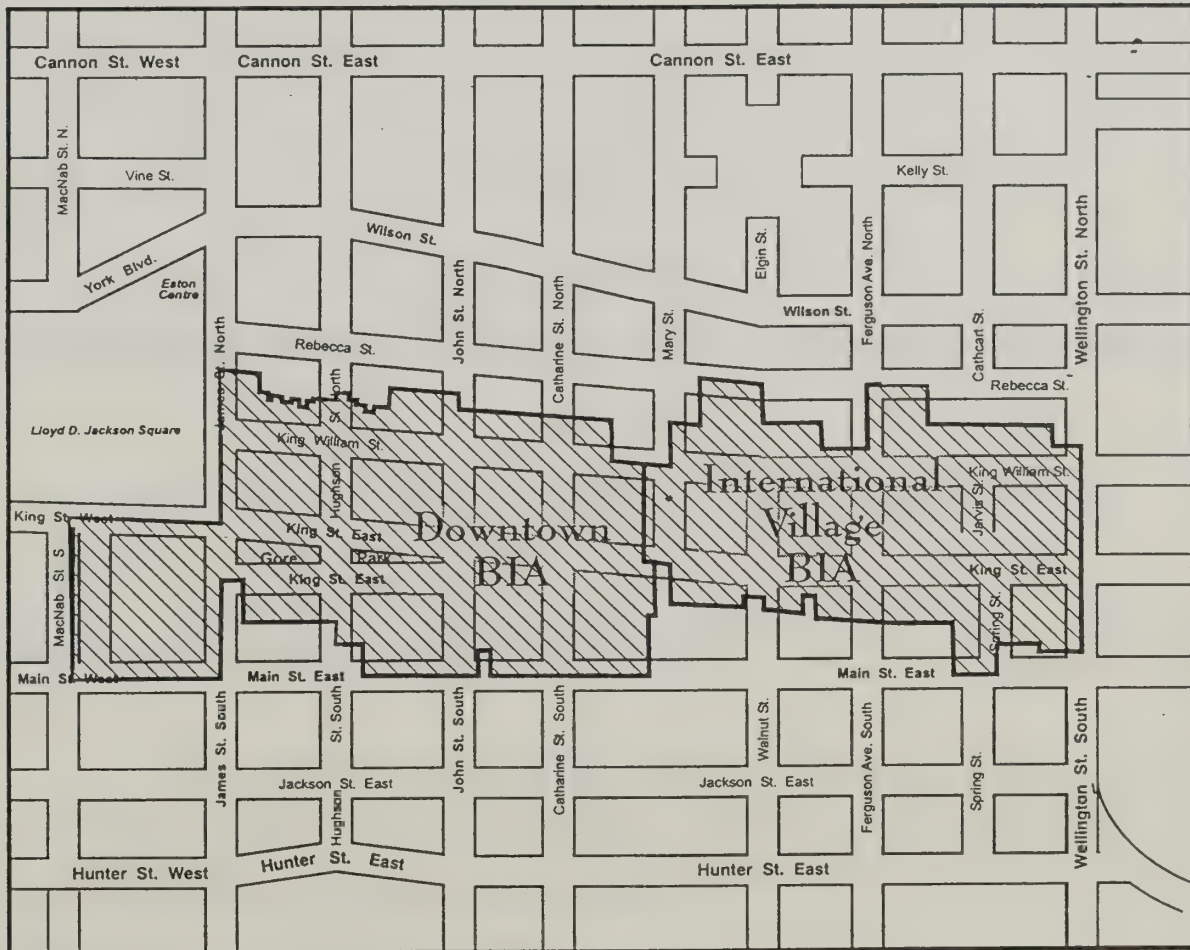
- all hotels and motels that have an annualized occupancy of less than 50% would qualify. Vacancy subject to confirmation by affidavit and other supporting documentation by the hotel management.

This program shall not apply to existing or to proposed Second Level Lodging Houses or to Short or Long Term Care Facilities.

Subject to Provincial approval and funding, the Realty Tax Incentive Grant Program would also be available in respect of and not exceeding the increase in the educational portion of realty taxes, attributable to the redevelopment/rehabilitation — on a basis and terms in accordance with this Municipal Realty Tax Grant Incentive Program and subject to each property's educational grant application also being approved by Council.

APPENDIX 'A' TO BILL NO.197

Proposed Enterprise Zone Municipal Realty Tax Grant Incentive Program



City of Hamilton

BY-LAW NO. 01 - 198

To Amend:

Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 98-210 (Hamilton)

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 130 EDGEHILL DRIVE

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-210 (Hamilton) on the 5th day of August 1998 to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593 (Hamilton), for the "C" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of the City of Hamilton, in adopting Item 2 of Report 01-014 of the Hearings Sub-Committee at its meeting held on the 5th day of June 2001, recommended that Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 98-210 (Hamilton), be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-37d of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "RT-20" (Townhouse - Maisonette) District to "C" (Urban Protected Residential, etc.) District the lands comprised in Blocks "1" and "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions as contained in Section 9 of Zoning By-law No. 6593 (Hamilton), as amended by By-law No. 98-210 (Hamilton), applicable to Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further modified to include the following variance as a special requirement that,

- (a) notwithstanding Section 9.(1), Subsection 18.(4) and Subsection 18.(13) of Zoning By-law No. 6593 (Hamilton), no building or structure, except a fence, shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 2 of this by-law.

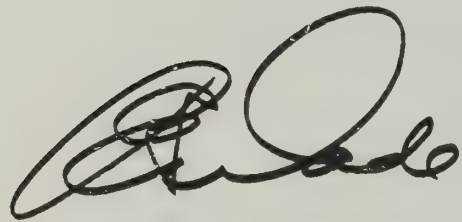
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1405c.

5. Sheet No. W-37d of the District Maps is amended by marking the lands referred to in section 2 of this by-law as S-1405c.

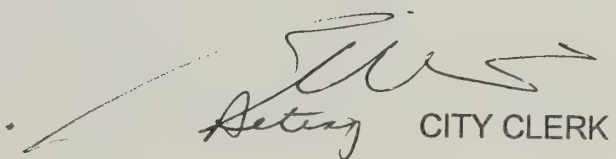
6. In all other respects, By-law No. 98-210 (Hamilton) is hereby confirmed, unchanged.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

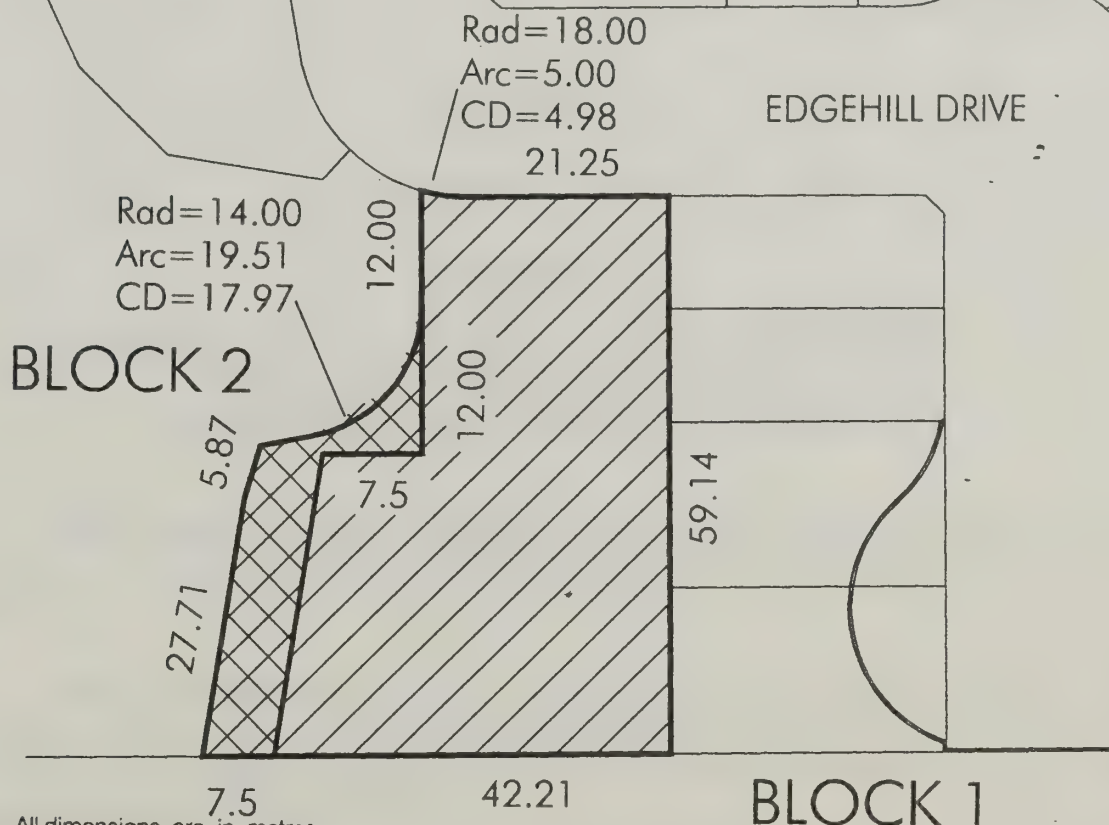
PASSED this 22nd day of August A.D. 2001



MAYOR


Acting CITY CLERK

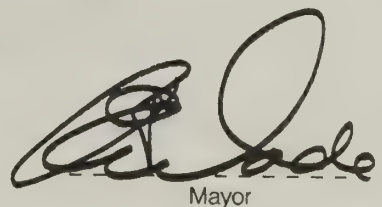
Visplar Holdings Ltd. (c/o E. LaBerge), owner
ZAC-01-15



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 01-198.....
Passed the2nd day of August...., 01.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 01-198

to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCK 1



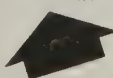
Change in Zoning From "RT-20" (Townhouse - Maisonette) District to "C" (Urban Protected Residential, etc.) District

BLOCK 2



Change in Zoning From "RT-20" (Townhouse - Maisonette) District to "C" (Urban Protected Residential, etc.) District, Modified

North



Scale
NOT TO SCALE

Date
July, 2001

Reference File No.
PLC-01-03&ZAC-01-15

Drawn By
B. B.

Bill No. 199

City of Hamilton

BY-LAW No. 01-199

Respecting:

**REMOVAL OF PART LOT CONTROL FOR LANDS WITHIN
"RYMAL SQUARE ESTATES, PHASE 4"
REGISTERED PLAN OF SUBDIVISION 62M-743**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

By-law to remove land within "Rymal Square Estates, Phase . 4"
Subdivision, Plan 62M-743 from Part Lot Control

2

- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the City of Hamilton pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

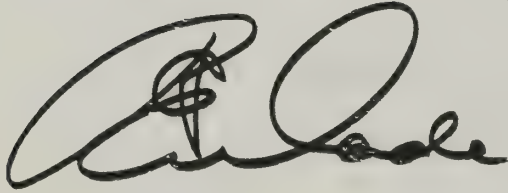
1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating maintenance easements and rights-of-way shall not apply to the following lands:

Block 52, Registered Plan 62M-743 "Rymal Square Estates, Phase 4", in the City of Hamilton, Regional Municipality of Hamilton-Wentworth.
2.
 - (a) This by-law shall come into force and effect on the date of its approval by the Director, Development Division, Planning and Development Department.
 - (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

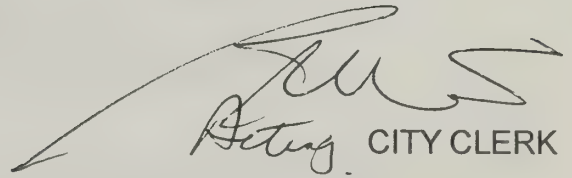
(c) This By-law shall expire on September 1, 2002.

PASSED this 22nd day of August

A.D. 2001.



MAYOR


CITY CLERK

Rymal Square Development Inc, owner (A. Weisz, president)
PLC-01-06

Bill No.200

City of Hamilton

BY-LAW No. 01-200

Respecting:

**REMOVAL OF PART LOT CONTROL FOR LANDS WITHIN
"SCENIC PARK SOUTH, PHASE 2"
REGISTERED PLAN OF SUBDIVISION 62M-929**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the City of Hamilton pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

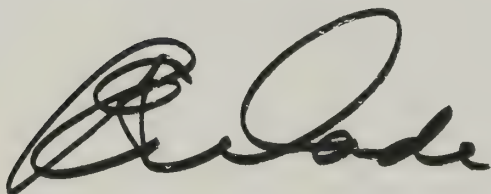
1. Subsection 5 of Section 50 of the Planning Act, for the purpose of subdividing Block 103 into 19 parts for street townhouse dwelling units in accordance with the approved site plan (City of Hamilton File No. DA-01-28) shall not apply to the following lands:

Block 103, Registered Plan 62M-929 "Scenic Park South, Phase 2",
in the City of Hamilton, Regional Municipality of Hamilton–Wentworth.
2.
 - (a) This by-law shall come into force and effect on the date of its approval by the Director, Development Division, Planning and Development Department.
 - (b) Where this by-law has been enacted and the said approval has been endorsed hereon, it shall be registered on title to the land described in paragraph one above.

(c) This By-law shall expire on September 1, 2002.

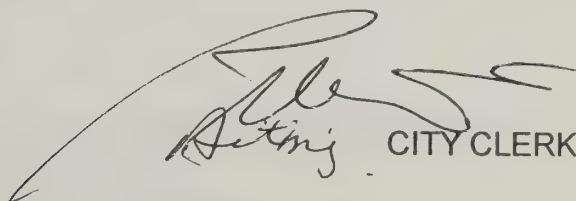
PASSED this 22nd day of August

A.D. 2001.

A large, stylized handwritten signature in black ink, likely belonging to the Mayor.

MAYOR

Losani Homes Ltd., owner
PLC-01-10

A handwritten signature in black ink, likely belonging to the City Clerk, with the words "Acting" and "CITY CLERK" written below it.

CITY CLERK

Authority: Item 11, 26th Report of the Planning
And Development Committee(PDC99153)
CM: December 14, 1999

Bill No. 201

City of Hamilton

BY-LAW No. 01-201

To Extend:

City of Hamilton By-law No. 00-131

Respecting:

THE EXEMPTION OF LANDS FROM PART LOT CONTROL FOR LANDS WITHIN
"WELLINGTON ESTATES, PHASE 2"
REGISTERED PLAN OF SUBDIVISION 62M-905

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former Corporation of the City of Hamilton;

AND WHEREAS the Corporation of the City of Hamilton passed By-law No. 00-131 to exempt lands within the "Wellington Estates, Phase 2" Subdivision, Plan 62M-905 from Part Lot Control;

AND WHEREAS in accordance with Subsection 7.4 of Section 50 of the Planning Act, By-law No. 00-131 expires on September 1, 2001;

AND WHEREAS the City of Hamilton Act, 1999 provides that by-laws of the former City of Hamilton continue in force until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part, as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the City of Hamilton pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 2(c) of By-law No. 00-131 is hereby repealed and the following substituted therefor:
 - "(c) Other than Lots 1, 2, 3, 5, 6 and 7, Registered Plan 62M-905 "Wellington Estates, Phase 2", this By-law shall no longer be of any force and effect. As it relates to Lots 1, 2, 3, 5, 6 and 7, Registered Plan 62M-905 "Wellington Estates, Phase 2", this By-law expires on September 1, 2002."

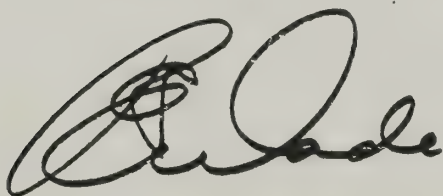
By-law Respecting the exemption of lands from Part
Lot Control for Lands within "Wellington Estates, Phase 2"
Registered Plan of Subdivision 62M-905

3

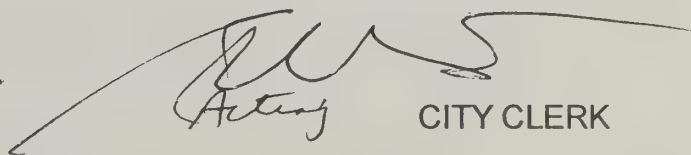
2. In all other respects, By-law No. 00-131 is hereby confirmed, unchanged.
3. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 00-131.

PASSED this 22nd day of August

A.D. 2001.



MAYOR


Acting

CITY CLERK

839891 Ontario Inc., Owner,
PLC-00-07

Authority:

Item 1, Hearings Sub-Committee
Report: 01-20 (PD01130)
CM: August 22, 2001

Bill No. 202

The City of Hamilton

BY-LAW NO. 01- 202

To Adopt:

Official Plan Amendment No. 173 to the City of Hamilton Official Plan;

Respecting:

Lands Located west of Upper James Street and north of Blossom Lane.

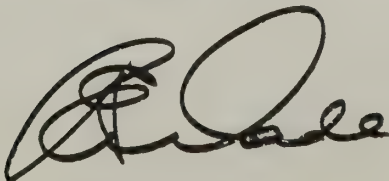
The Council of the City of Hamilton enacts as follows:

1. Amendment No. 173 to the Official Plan of the Hamilton Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

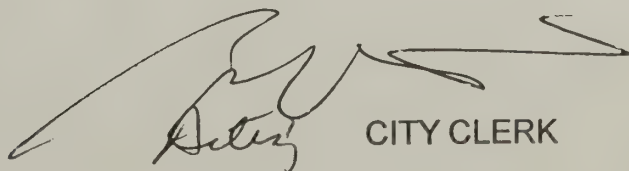
PASSED this

the 22nd day of August

A.D. 2001



MAYOR



CITY CLERK

Draft Amendment No. 173

to the

City of Hamilton Official Plan

The following text together with Schedule "A" – Land Use Concept, and Schedule "B" – Special Policy Areas, attached hereto, constitutes Official Plan Amendment No. 173

Purpose:

The purpose of this Amendment is to redesignate the subject lands from "Open Space" to "Commercial", and to extend "Special Policy Area 31" for lands located west of Upper James Street and north of Blossom Lane to permit a two (2) to four (4) storey, 159 room limited service hotel including an accessory coffee shop.

Location:

The lands affected by this Amendment are located within the Kernighan Neighbourhood Plan, west of Upper James Street and north of Blossom Lane.

Basis:

The basis for permitting the proposed commercial use is as follows:

- 1) The proposal is consistent with the intent of the Official Plan, which recognizes Upper James Street as a highway oriented commercial area. Furthermore, the depth of the commercial designation for the subject lands would be consistent with the commercial zoning and designation of lands to the north.
- 2) The proposal would be compatible with existing and proposed development in the area, including existing commercial development to the north and east, future institutional development (school) to the west and existing single family residential development to the south.
- 3) The proposed hotel would be adequately buffered from the residential uses and future school by the provision of 9.0m planting strips, fencing and increased setbacks. Furthermore, impacts will be mitigated, since the height and bulk of the proposed hotel building will be restricted to the northerly portion of the site (i.e. two (2) to four (4) stories from the south).

- 4) The proposal fronts on a major arterial roadway (i.e. Upper James Street) with convenient access to the east/west freeway.

Actual Changes:

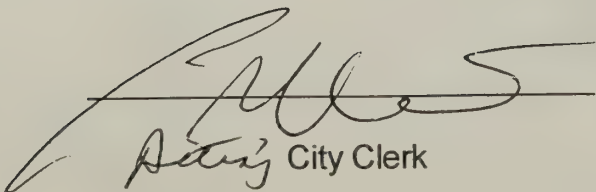
- 1) Schedule "A" – Land Use Concept – be revised by redesignating the subject lands, located west of Upper James Street and north of Blossom Lane from "Open Space" to "Commercial", as shown on the attached Schedule "A" of this Amendment;
- 2) Schedule "B" – Special Policy Areas – be revised by extending the lands of Special Policy Area 31, as shown on the attached Schedule "B" of this Amendment; and,

Implementation:

A Zoning By-law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 01-202, passed on the 22nd day of August , 2001.

**The Corporation of the
City of Hamilton**



Acting City Clerk



Mayor

Schedule A

Land Use Concept

amendment no. 173

to the

official plan

for the

City of Hamilton

Change:

From "Open Space" to "Commercial"

Date

JUNE 2001

Drawn By

L. Miskala

Reference File no.

OPA 173

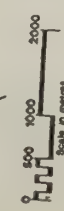


land use concept

legend

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- office
- central policy area
- special policy area
- unincorporated
- per August
- sub regional areas

schedule A
to the official plan
for
the city of hamilton
part 10.11

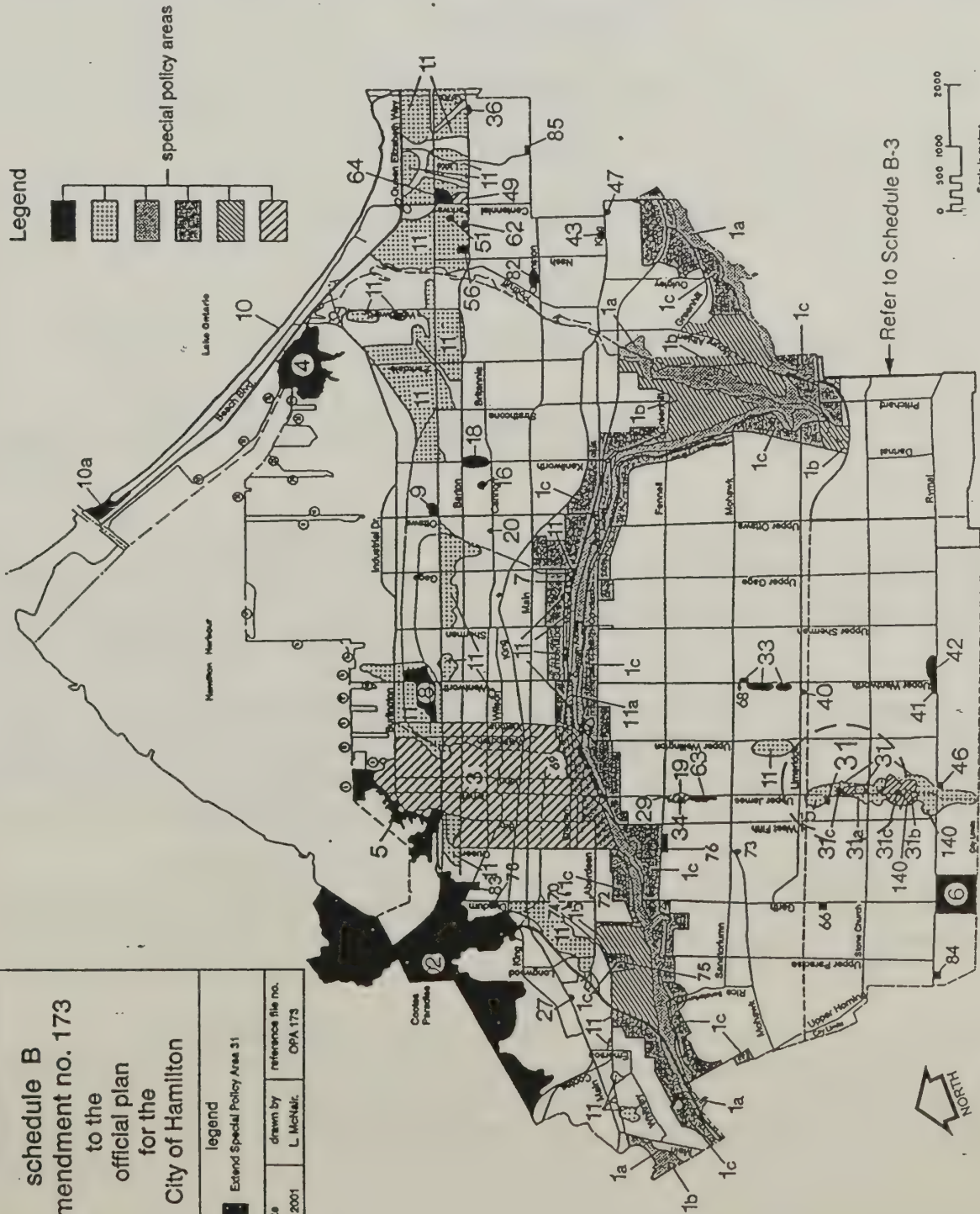


schedule B
amendment no. 173
to the
official plan
for the
City of Hamilton

legend

Extend Special Policy Area 31

date	drawn by	reference file no.
JUNE, 2001	L. McNeil	OPA 173



special policy areas

AREA	REFER TO POLICY	AREA	REFER TO POLICY
1(a)	A2.3.1	63	A2.3.31
1(b)	A2.3.17	64	A2.3.32
1(c)	A2.3.18	65	A2.3.33
2	A2.3.2	66	A2.3.34
3	A2.3.3	67	A2.3.35
4	A2.3.11	68	A2.3.36
5	A2.3.12	69	A2.3.37
6	A2.3.13	70	A2.3.38
7	A2.3.14	71	A2.3.39
8	A2.3.15	72	A2.3.40
9	A2.3.16	73	A2.3.41
10	A2.3.17	74	A2.3.42
11	A2.3.18	75	A2.3.43
11(a)	A2.3.19	76	A2.3.44
11(b)	A2.3.20	77	A2.3.45
11(c)	A2.3.21	78	A2.3.46
12	A2.3.22	79	A2.3.47
13	A2.3.23	80	A2.3.48
14	A2.3.24	81	A2.3.49
15	A2.3.25	82	A2.3.50
16	A2.3.26	83	A2.3.51
17	A2.3.27	84	A2.3.52
18	A2.3.28	85	A2.3.53
19	A2.3.29		
20	A2.3.30		
21	A2.3.31		
22	A2.3.32		
23	A2.3.33		
24	A2.3.34		
25	A2.3.35		
26	A2.3.36		
27	A2.3.37		
28	A2.3.38		
29	A2.3.39		
30	A2.3.40		
31	A2.3.41		
31(a)	A2.3.42		
31(b)	A2.3.43		
31(c)	A2.3.44		
32	A2.3.45		
33	A2.3.46		
34	A2.3.47		
35	A2.3.48		
36	A2.3.49		
37	A2.3.50		
38	A2.3.51		
39	A2.3.52		
40	A2.3.53		
41	A2.3.54		
42	A2.3.55		
43	A2.3.56		
44	A2.3.57		
45	A2.3.58		
46	A2.3.59		
47	A2.3.60		
48	A2.3.61		
49	A2.3.62		
50	A2.3.63		
51	A2.3.64		
52	A2.3.65		
53	A2.3.66		
54	A2.3.67		
55	A2.3.68		
56	A2.3.69		
57	A2.3.70		
58	A2.3.71		
59	A2.3.72		
60	A2.3.73		
61	A2.3.74		
62	A2.3.75		
63	A2.3.76		
64	A2.3.77		
65	A2.3.78		
66	A2.3.79		
67	A2.3.80		
68	A2.3.81		
69	A2.3.82		
70	A2.3.83		
71	A2.3.84		
72	A2.3.85		
73	A2.3.86		
74	A2.3.87		
75	A2.3.88		
76	A2.3.89		
77	A2.3.90		
78	A2.3.91		
79	A2.3.92		
80	A2.3.93		
81	A2.3.94		
82	A2.3.95		
83	A2.3.96		
84	A2.3.97		
85	A2.3.98		

For other Special Policy Areas numbers, refer to Schedules B-1, B-2, and B-3.

schedule B

to the official plan
for
the City of Hamilton

JUNE 2001

Authority: Item 1, Hearings Sub-Committee
Report 01-20 (PD01130)
CM: August 22, 2001

Bill No. 203

City of Hamilton

BY-LAW NO. 01-203

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 1224 UPPER JAMES STREET

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

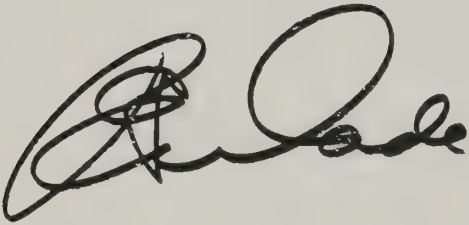
AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

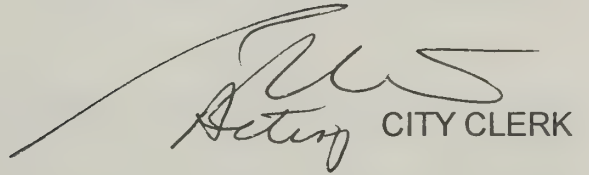
WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 (Hamilton), passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 173, proposed by the Council of the City of Hamilton but not yet approved by the City in accordance with the provisions of the Planning Act.

PASSED this 22nd day of August A.D. 2001

A large, stylized handwritten signature in black ink, likely belonging to the Mayor.

MAYOR

A handwritten signature in black ink, with the word "Acting" written below it, followed by the title "CITY CLERK".

Parisa Development Inc.
(o/c Oscar Kichi), (prospective owner)
ZAC-01-17

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-9B of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial, etc.) District the land comprised in Block "2",

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial, etc.) District provisions, as contained in Section 14A. of Zoning By-law No. 6593 (Hamilton), applicable to Blocks "1" and "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A. (1) of Zoning By-law No. 6593, (Hamilton), only a hotel containing a maximum of 159 rooms and an accessory restaurant shall be permitted on Block "2"; and,
- (b) notwithstanding Section 14A.(2) of Zoning By-law No. 6593 (Hamilton), the height of any building, structure, or portion thereof located on Block "2" shall not exceed:
 - (i) 2.5 storeys and 11.0 metres within 18.0 metres of the southerly lot line; and,
 - (ii) 3 storeys and 14.0 metres within 24.0 metres of the southerly lot line; and
 - (iii) 4 storeys and 17.0 metres within 60.0 metres of the southerly lot line.
- (c) notwithstanding Section 14A.(3)(b) of Zoning By-law No. 6593, (Hamilton), a minimum southerly side yard of 18.0 metres shall be provided and maintained on Block "2"; and,
- (d) notwithstanding Section 14A.(3)(c) of Zoning By-law No. 6593, (Hamilton) the following rear yard depths shall be provided and maintained:
 - (i) a minimum of 17.0 metres for any building, structure, or portion of thereof not exceeding one (1) storey and 6.0 metres in height; and

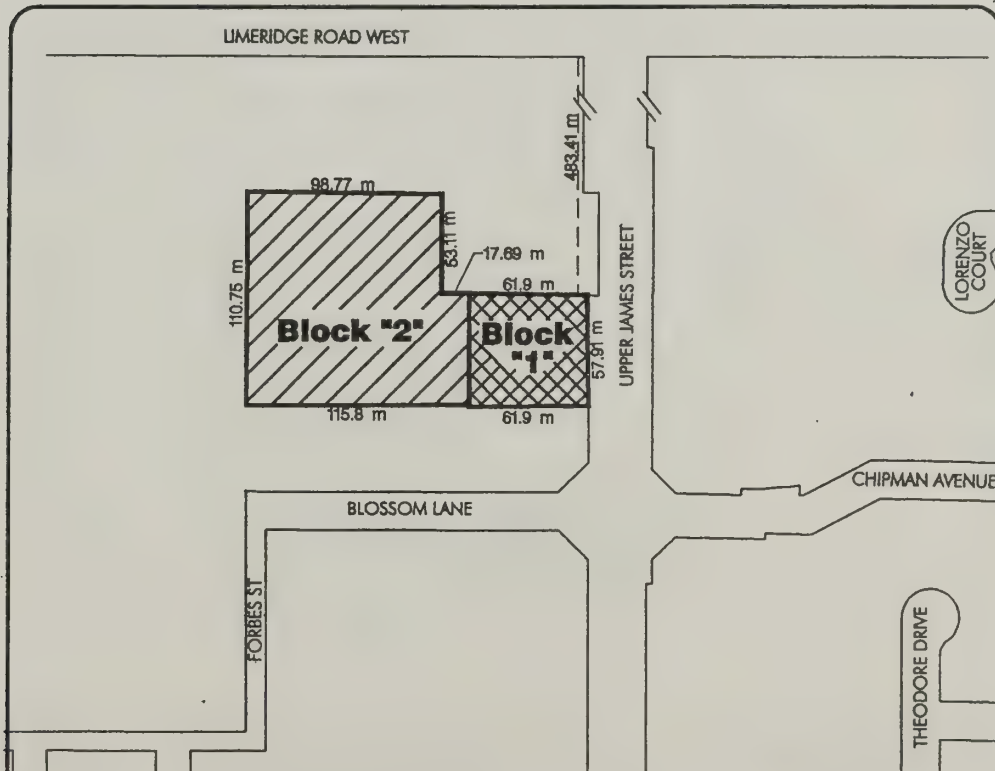
- (ii) a minimum of 21.0 metres for any building, structure, or portion thereof exceeding one (1) storey and 6.0m in height; and,
- (e) Signs shall be permitted in accordance with Section 14A.(1)(c) and 14A.(3) of Zoning By-law No. 6593 (Hamilton), except as follows:
 - (i) roof signs and third party billboard signs shall be prohibited; and,
 - (ii) business identification wall signs shall be prohibited on the southerly and westerly facing building elevations; and,
- (f) notwithstanding Section 14A.(7)(b) of Zoning By-law No. 6593 (Hamilton), a minimum 15.0 metres wide landscape area, shall be provided and maintained along the entire easterly lot line of Block "1", except for any area used for driveway access; and,
- (g) notwithstanding Section 14A.(7)(a) of Zoning By-law No. 6593 (Hamilton), a planting strip not less than 9.0 metres in width shall be provided and maintained along the entire southerly and westerly lot line of Block "2"; and,
- (h) notwithstanding Section 18A.(12)(c) of Zoning By-law No. 6593 (Hamilton), a visual barrier between 1.8 metres and 2.0 metres in height shall be provided and maintained along the entire southerly and westerly lot lines of Block "2", except a chain link fence between 1.8 metres and 2.0 metres in height shall be provided and maintained along the entire westerly boundary next to a school.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1457.

5. Sheet No. W-9B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1457.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.



This is Schedule "A" to By-Law No. 01-203
Passed the 22nd day of August 2001.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

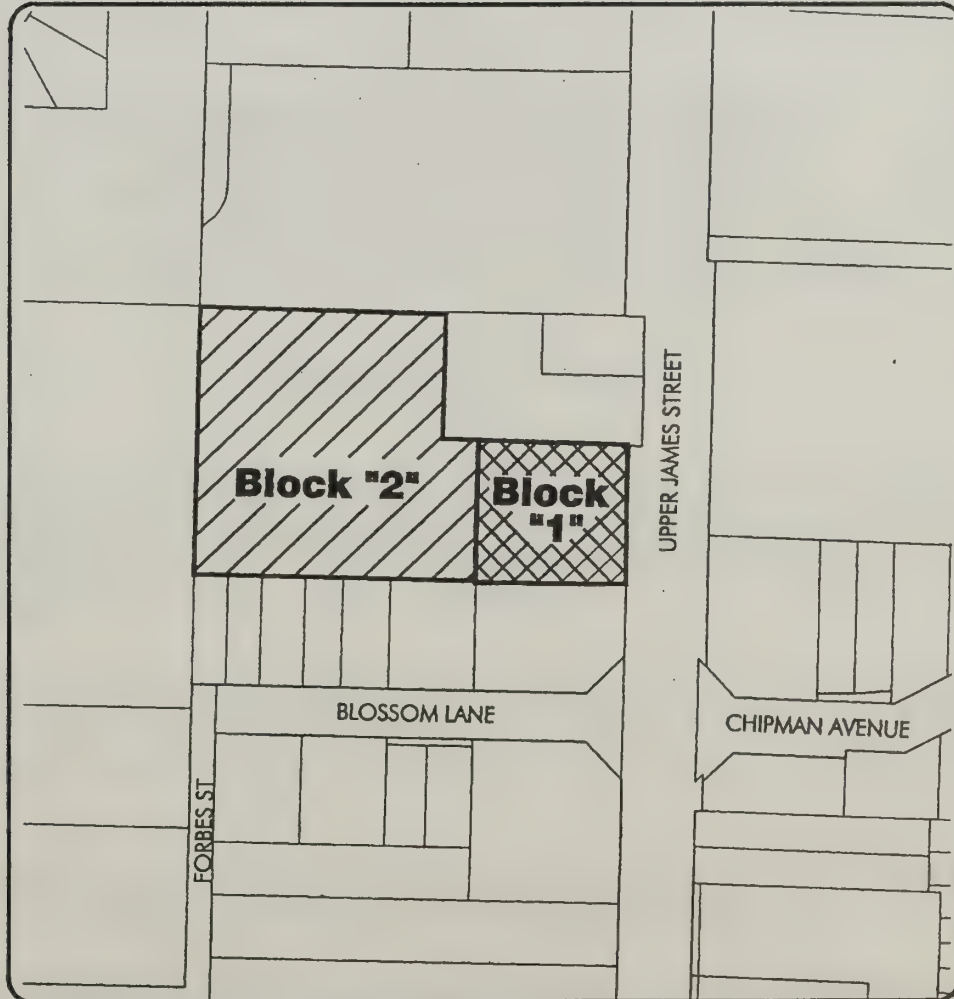
Map Forming Part of
By-Law No. 01-203
to Amend By-Law No. 6593

Planning and Development Department

Legend

- Block "1"**
Further modification to the established "HH" (Restricted Community Shopping and Commercial) District, Block "1".
- Block "2"**
Proposed change in Zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, Modified Block "2".

North 	Scale	Reference File No.
	NOT TO SCALE	ZAC-01-17
	Date	Drawn By
	July, 2001	L.M.



City of Hamilton

Key Map

to By-Law No. 01-_____

Planning and Development Department

Legend

Block "1"
 Further modification to the established "R1" (Restricted Community Shopping and Commercial) District, Block "1".

Block "2"
 Proposed change in zoning from "AA" (Agricultural) District to "R1" (Restricted Community Shopping and Commercial) District, Modified Block "2".

	Scale	Reference File No.
	NOT TO SCALE	ZAC-01-17
	Date	Drawn By
	July, 2001	L.M.

City of Hamilton

BY-LAW NO. 01- 204

To Amend:

By-law No. 3366-82 (Dundas), as amended,
By-law 90-31-T (Flamborough), as amended,
By-law No. 4818-98 (Stoney Creek), as amended,
By-law 89-72 (Hamilton), as amended,
and By-law No. R89-038 (Hamilton-Wentworth), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act; R.S.O. 1990, Chapter H.8, as amended.

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of October, 1982, the Council of the Corporation of the Town of Dundas enacted By-law No. 3366-82 to regulate traffic;

AND WHEREAS on the 18th day of April, 1990, the Council of the Corporation of the Town of Flamborough enacted By-law No. 90-31-T to regulate traffic on highways under its jurisdiction and control;

AND WHEREAS on the 22nd day of September, 1998, the Council of the Corporation of the City of Stoney Creek enacted By-law No. 4818-98 to regulate traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS on the 21st day of March, 1989, the Council of the Regional Municipality of Hamilton-Wentworth enacted By-law No. R89-038 to regulate traffic on Regional Roads and on highways within 30 metres of any Regional Road;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C, did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality of the Corporation of the Town of Dundas, the former area municipality of the Corporation of the Town of Flamborough, the former area municipality of the Corporation of the City of Stoney Creek, the former area municipality of the Corporation of the City of Hamilton, and the former regional municipality of the Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the Town of Dundas, the Corporation of the Town of Flamborough, the Corporation of the City of Stoney Creek, the Corporation of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth, continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-laws No. 3366-82, No. 90-31-T, No. 4818-98, No. 89-72, and No. R89-038, each as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule 8 (No Parking Areas) of By-law No. 3366-82, as amended, is hereby further amended by adding thereto the following item, namely:

"Davidson Blvd.	Both Sides	Governors Rd. to Pirie Dr.	Anytime"
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and by deleting therefrom the following items, namely:

"Hattfield Pl.	East Side	South St. to 220 feet northerly	Anytime
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Hattfield Pl.	West Side	South St. to 102 feet northerly	Anytime"
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2. That Schedule 3 (Parking Prohibited, Every Day) of By-law No. 90-31-T, as amended, is hereby further amended by adding to Part A thereof the following items, namely:

"Middletown Road	East	Safari Road	151 feet north of Safari Road	Anytime
Rockcliffe Road	South	Bayview Avenue / Rockcliffe Road	195 feet east of Bayview Avenue / Rockcliffe Road	Anytime
Rockcliffe Road	East	Bayview Avenue / Rockcliffe Road	127 feet south of Bayview Avenue / Rockcliffe Road	Anytime"

3. That Schedule 20 (Stopping Prohibited - Every Day) of By-law No. 90-31-T, as amended, is hereby further amended by adding thereto the following item, namely:

"Fellows Crescent	South	248 feet east of the easterly curb line of the north-south leg of Fellows Cr.	340 feet east of the easterly curb line of the north-south leg of Fellows Cr.	Anytime"
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4. That Schedule 1 (No Parking - Specified) of By-law No. 4818-98, as amended, is hereby further amended by adding thereto the following items, namely:

"Paramount Drive	Both	From Amesbury Crescent (west branch) to Amesbury Crescent (east branch)	Anytime"
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and by deleting therefrom the following item, namely:

"First Street South	West	A point 15m south of King St. to First Street South	Anytime Monday to Friday"
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5. That Schedule 3 (Alternate Side Parking) of By-law No. 4818-98, as amended is hereby further amended by deleting therefrom the following item, namely:

"Gerald Crescent	North	From Paramount Drive to Benwood Court	No parking anytime 1st - 15th each month"
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6. That Schedule 8 (No Stopping - Specified) of By-law No. 4818-98, as amended, is hereby further amended by adding thereto the following items, namely:

"Paramount Drive	Both	From Amesbury Crescent (east branch) to Amberwood Street	Anytime
Arvin Avenue	North	From 220 metres east of Fruitland Road to 77 metres easterly therefrom	Anytime
Arvin Avenue	North	From 357 metres east of Fruitland Road to 31 metres easterly therefrom	Anytime"

7. That Schedule 18 (Parking Time Limits) of By-law No. R89-038, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Main	North side between Barons and 75 feet west of Cope	2 hour	12:00 midnight to 6:00 p.m.
King	South side from a point 49 feet west of Peel to a point 31 feet westerly therefrom	15 minutes	11:00 p.m. to 12:00 noon"

8. That Schedule 20 (No Parking Areas) of By-law No. R89-038, as amended, is hereby further amended by adding thereto the following items namely:

"Safari	North	commencing at Middletown and extending 100 feet westerly therefrom	Anytime
Safari	North	commencing at Middletown and extending 97 feet easterly thereof	Anytime
Safari	South	commencing at Middletown and extending 85 feet westerly therefrom	Anytime
Safari	South	commencing at Middletown and extending 117 feet easterly therefrom	Anytime
Main	North	Barons to Cope	9:00 a.m. - 6:00 p.m.
James	West	commencing 150 feet north of Colbourne and extending 17 feet northerly therefrom	Anytime
Main	East	255 feet south of King to York	2:00 a.m. - 6:00 a.m.

Main	East	commencing 155 feet south of King and extending 100 feet southerly therefrom	Anytime"
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and by deleting therefrom the following items, namely:

"Main St.	East	357 ft. south of King St. to York St.	2:00 a.m. to 6:00 a.m.
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Main St.	East	155 ft. south of King St. to 202 ft. southerly	Anytime"
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9. That Schedule 22 (Commercial Loading Zones) of By-law No. R89-038, as amended, is hereby further amended by deleting therefrom the following item, namely:

"James	West	17 feet	150 feet north of Colbourne	Anytime"
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10. That Schedule 24 (School Bus Loading Zones) of By-law R89-038, as amended, is hereby further amended by adding thereto the following item, namely:

"5th Concession West	North	commencing 399 feet west of Millgrove Side Road and extending 90 feet westerly therefrom	7:00 a.m. to 6:00 p.m. Monday to Saturday"
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11. That Schedule 25 (Parking Time Limits) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Forest	South	Hughson to John	3 hr	8 am - 6 pm	Mon - Fri
Forest	South	John to Walnut	3 hr	8 am - 6 pm	Mon - Sat
Norway	East	Cumberland to Afton	3 hr	8 am - 6 pm	Mon - Fri"

and by deleting therefrom the following items, namely:

"Forest	South	John to 128 feet west	3 hr	8 am - 6 pm	Mon - Fri
Forest	South	Hughson to Walnut	3 hr	8 am - 6 pm	Mon - Sat
Beach Rd.	North	Birmingham to Lottridge	3 hr	8 am - 6 pm	Mon - Sat"

12. That Schedule 26 (No Parking Areas) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Starlight	East, South & West	Orphir to southerly end	7 am - 6 pm	Mon - Sat
Ferguson	West	Jackson to 77 feet southerly		Anytime
Rebecca	North	commencing 215 feet east of Mary and extending 117 feet easterly therefrom		Anytime
Birge	North	commencing 155 feet east of Emerald and extending 52 feet easterly therefrom	8 am - 12 noon	Tues
Beach Rd.	North	Birmingham to Lottridge		Anytime
Beach Rd.	North	From 230' east of Ottawa to 200' east		Anytime
Norway	West	Cumberland to Afton		Anytime
Redmond	East	Rushdale to Stone Church		Anytime"

and by deleting therefrom the following items, namely:

"Starlight	East, South & West	Rainbow to southerly end	7 am - 6 pm	Mon - Sat
Rebecca	North	commencing at a point 237 feet east of Mary and extending to a point 57 feet easterly therefrom		Anytime
Dunsmure	South	Fairholt to 66 ft. easterly		Anytime
Beach Rd.	Both	End to End		Anytime"

13. That Schedule 27 (Alternate Side Parking) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Garside Avenue	West	East
From 96 feet north of Main Street to Britannia Avenue		
East 21st Street	West	East"
Franklin Road to the south property line of #391 East 21st Street		

and by deleting therefrom the following items, namely:

"Garside Avenue	West	East
Main Street to Britannia Avenue		

Norway Avenue Cumberland Avenue to Afton Avenue	West	East
West 2nd Brantdale to Queensdale	East	West"

14. That Schedule 29 (No Stopping Areas) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Rebecca	North James to a point 46 feet east of John	Anytime
Rebecca	North Catharine to 50 feet westerly	Anytime
Rebecca	North Catharine to 48 feet easterly	Anytime
Birge	South commencing 199 feet west of Victoria and extending 103 feet westerly therefrom	Anytime"

and by deleting therefrom the following items, namely:

"Rebecca	North James to Hughson	Anytime
Rebecca	North Hughson to John	Anytime
Rebecca	North John to 46 ft. east	Anytime
Rebecca	North Catharine to a point 48 feet easterly	Anytime
Rebecca	North Catharine to 50 ft. west	Anytime"

15. That Schedule 31 (School Bus Loading Zones) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following item, namely:

"Sherwood Rise	North	184 feet	160 feet east of High	7:00 a.m. - 6:00 p.m. Monday to Saturday"
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and by deleting therefrom the following item, namely:

"Sherwood Rise	North	308 feet	commencing at a point 32 feet east of High	7:00 a.m. - 6:00 p.m. Monday to Saturday"
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16. That Schedule 34 (Permit Parking) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Simcoe	South	commencing 39 feet west of Ferguson and extending 20 feet westerly therefrom		Anytime
John	East	commencing 85 feet north of Strachan and extending 24 feet northerly therefrom		Anytime
Burlington	South	commencing 112 feet west of Ferguson and extending 20 feet westerly therefrom		Anytime
Gertrude	North	commencing 97 feet east of the extended east curb line of Lyndhurst and extending 21 feet easterly therefrom		Anytime
Douglas	East	commencing 87 feet north of Keith and extending 20 feet northerly therefrom		Anytime
Douglas	West	commencing 75 feet north of Keith and extending 20 feet northerly therefrom		Anytime
Emerald	East	commencing 163 feet south of Barton and extending 24 feet southerly therefrom		Anytime
William	West	commencing 477 feet south of Birge and Dec. 1st extending 20 feet southerly therefrom		to Mar. 31st inclusive
Mayflower	South	commencing 95 feet west of Glendale and extending 18 feet westerly therefrom		Anytime
Biggar	North	commencing 541 feet west of Lottridge and extending 16 feet westerly therefrom		Anytime
Cumberland	South	commencing 54 feet east of Eastbourne and extending 18 feet easterly therefrom		Anytime"

and by deleting therefrom the following items, namely:

"John	East	commencing 85 feet north of Strachan and extending to a point 20 feet northerly therefrom	Anytime
Catharine	East	commencing 128 feet south of Murray and extending 20 feet southerly therefrom	Anytime
Land	North	commencing 60 feet west of Niagara and extending 19 feet westerly therefrom	Anytime
Roosevelt	East	commencing 124 feet south of Beach and extending 25 feet southerly	Anytime"

17. That Schedule 35 (Wheelchair Loading Zones) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Parkview	West	19 feet	59 feet north of Franklin	8:00 a.m. - 10:00 p.m.
Forest	North	35 feet	93 feet east of Hughson	Anytime
Forest	North	34 feet	91 feet west of John	Anytime
Graham	East	29 feet	81 feet north of Monterey	8:00 a.m. - 4:00 p.m. Monday to Friday
Westlawn	South	22 feet	240 feet west of the extended west curb line of Katie Court	7:00 a.m. - 5:00 p.m."

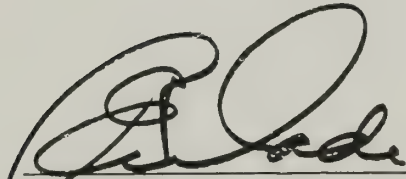
and by deleting therefrom the following items, namely:

"Balmoral	West	32 feet	220 feet south of Roxborough	7:00 a.m. - 4:00 p.m. Monday to Friday
Donnici	South	22 feet	144 feet east of Filice	Anytime"

18. Subject to the amendments made in this By-law, in all other respects, By-laws No. 76-46 (Ancaster), No. 90-31-T (Flamborough), No. 89-72 (Hamilton) and No. R89-038 (Hamilton-Wentworth), each including all Schedules thereto, as amended, are hereby confirmed unchanged.

19. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 22nd day of August, 2001.



Mayor

Acting City Clerk

Authority: Item 26, Committee of the Whole
Report 01-025 (TOE01131)
CM: August 22, 2001

Bill No. 205

City of Hamilton

BY-LAW NO. 01-205

To Amend:

By-law No. 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality, the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

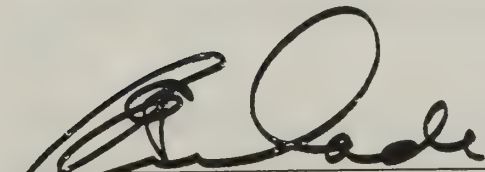
1. That Schedule 10 (Stops at Intersections) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Strathearne Northbound and Southbound

Roxborough"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 22nd day of August, 2001.



Mayor

Acting City Clerk

City of Hamilton

BY-LAW NO. 01-207

To Amend:

By-law No. R89-038 (Hamilton-Wentworth), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 21st day of March, 1989, the Council of The Regional Municipality of Hamilton-Wentworth enacted By-law No. R89-038 to regulate traffic on Regional Roads and on highways within 30 metres of any Regional Road;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former regional municipality the Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Regional Municipality of Hamilton-Wentworth, continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. R89-038, as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule 17 (Parking Meter Locations) of By-law No. R89-038, as amended, is hereby further amended by adding to Section "3(a)" thereof (1 Hour Limit at .50 per hour) the following item, namely:

"Kenilworth

Both

Main to Barton"

2. That Schedule 18 (Parking Time Limits) of By-law No. R89-038, as amended, is hereby further amended by deleting from Section "B. 1" thereof the following item, namely:

"Kenilworth East Dunsmure to 134 ft. north"

and by deleting from Section "B. 5" thereof the following items, namely:

"Kenilworth Both Dunsmure to Roxborough

Kenilworth West Cannon to Roxborough"

3. That Schedule 20 (No Parking Areas) of By-law No. R89-038, as amended, is hereby further amended by adding to Section "A" thereof (No Parking Anytime) the following items, namely:

"Kenilworth Both Barton to Burlington

Kenilworth West Dunsmure to Roxborough

Kenilworth West commencing 63 feet south of Cannon and
extending 44 feet southerly therefrom

Kenilworth West Newlands to 141 feet northerly

Kenilworth East commencing 86 feet north of Main and
extending 155 feet northerly therefrom"

and by deleting from Section "A" thereof the following item, namely:

"Kenilworth Both Main to Burlington"

and by deleting from Section "B" thereof (Loading Zones) the following item, namely:

"Kenilworth West 25 ft. 161 ft. south of Hope"

4. That Schedule 23 (No Stopping Areas) of By-law No. R89-038, as amended, is hereby further amended by adding thereto the following items, namely:

"Kenilworth West Dunsmure to 72 feet southerly

Kenilworth West Cambridge to Roxborough

Kenilworth West Albany to 146 feet northerly

Kenilworth	East	Dunsmure to 223 feet southerly
Kenilworth	East	Roxborough to Britannia
Kenilworth	East	Albany to 67 feet northerly"

and by deleting therefrom the following items, namely:

"Kenilworth	Both	Barton to 100 ft. South
Kenilworth	East	Dunsmure to 330 ft. north
Kenilworth	West	Britannia to 75 ft. south of Cannon"

5. That Schedule 33 (No Stopping Areas - Monday to Friday) of By-law No. R89-038, as amended, is hereby further amended by deleting from Section "C" thereof (No Stopping 4:00 p.m. to 6:00 p.m.) the following item, namely:

"Kenilworth East Dunsmure to Roxborough"

6. Subject to the amendments made in this By-law, in all other respects, By-law No. R89-038 (Hamilton-Wentworth), including all Schedules thereto, as amended, is hereby confirmed unchanged.

7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 18th day of September, 2001.

DEPUTY Mayor

City Clerk

Authority: Item 4, Hearings Sub-Committee
Report 01-020 (PD01168)
CM: August 22, 2001

Bill No. 208

The City of Hamilton

BY-LAW NO. 01-208

To Adopt:

Official Plan Amendment No. 83 to the Town of Ancaster Official Plan;

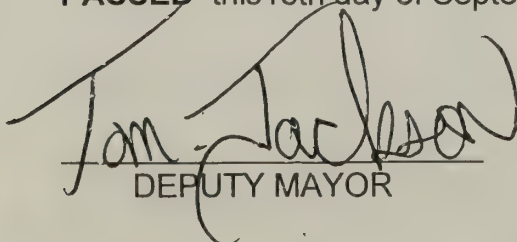
Respecting:

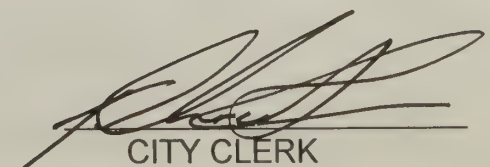
MEADOWLANDS NEIGHBOURHOOD V SECONDARY PLAN

The Council of the City of Hamilton enacts as follows:

1. Amendment No. 83 to the Official Plan of the Town of Ancaster Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED this 18th day of September A.D. 2001


DEPUTY MAYOR


CITY CLERK

AMENDMENT NO. 83

TO THE TOWN OF ANCASTER OFFICIAL PLAN

PURPOSE

The purpose of this amendment is to implement a secondary plan for Meadowlands Neighbourhood V by inserting the secondary plan in the Official Plan.

LOCATION

The subject lands comprise 99 ha and are bounded by Golf Links Road to the north, Meadowlands Boulevard to the west and Tiffany Creek to the east. The southern boundary is located approximately at the mid-point between Golf Links Road and Garner Road. The location of Meadowlands Neighbourhood V is further described on Map 1 herein.

BASIS

Secondary planning is a sound and comprehensive approach to planning for future development in largely "greenfield" areas. A secondary plan establishes the parameters under which future development will be given consideration in a specific geographic area. A secondary plan includes guidelines on matters such as land use, road patterns, built form and community facilities. Among other things, a secondary plan helps ensure that future individual developments are co-ordinated and properly linked.

The secondary plan for Meadowlands Neighbourhood V is largely based on the "preferred development concept" identified in the *Issues and Options Report* dated August 2001. The rationale for the "preferred development concept" and background information are also detailed in the *Issues and Options Report*.

ACTUAL CHANGES

Text

Section 5 – Specific Policy Areas, Policy 5.6.2 is hereby amended by deleting the first paragraph and replacing it with the following:

" The areas designated Residential on Schedule B shall be developed in accordance with but no more than the following density and population estimates."

Section 5 – Specific Policy Areas, Policy 5.6.2 is hereby further amended by revising the unit/population and land use tables as follows:

- The population and unit counts for Neighbourhood V shall be 3785 and 1225 respectively;
- The land area assigned to Residential Density I in Neighbourhood V shall be 0 hectares;
- The land area assigned to Residential Density II in Neighbourhood V shall be 0 hectares;
- A new land area category entitled "Residential – densities set out in secondary plan" shall be inserted following the category "Residential Density II", and the land area assigned to this category shall be 50 hectares;
- The land area assigned to Convenience Commercial in Neighbourhood V shall be 0 hectares;
- The land area assigned to Public School in Neighbourhood V shall be 0 hectares;
- The land area assigned to Elementary School in Neighbourhood V shall be 4 hectares;
- The land area assigned to Church or other Institutional Uses in Neighbourhood V shall be 4 hectares;
- The land area assigned to Open Space in Neighbourhood V shall be 17 hectares;
- The land area assigned to Neighbourhood Park in Neighbourhood V shall be 1 hectare;
- The land area assigned to Hydro in Neighbourhood V shall be 4 hectares; and
- The column and row totals shall be revised accordingly.
- A new notation shall be inserted after notation iii as follows: "iv) The residential densities for Neighbourhood V are set out in the Secondary Plan for Neighbourhood V. " The notations shall be renumbered accordingly.

Section 5 – Specific Policy Areas, Policy 5.6.2 is hereby further amended by deleting Policy 5.6.20 relating to Specific Policy Area 3-j in its entirety.

Section 6 – Secondary Plans, is hereby amended by inserting the Secondary Plan for Meadowlands Neighbourhood V as Subsection 6.7 as follows:

“ 6.7 Meadowlands Neighbourhood V Secondary Plan

6.7.1 Introduction

The following text and maps constitute the Meadowlands Neighbourhood V Secondary Plan.

6.7.2 Purpose

The purpose of this Secondary Plan is to set out land uses, the basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands in the Meadowlands Neighbourhood V. At the same time, the Secondary Plan provides protection to the Neighbourhood's natural areas and environmental resources.

6.7.3 Location

Meadowlands Neighbourhood V is approximately 99 ha in area and is bounded by Golf Links Road to the north, Meadowlands Boulevard to the west and Tiffany Creek to the east. The southern boundary is located approximately at the mid-point between Golf Links Road and Garner Road. The location of Meadowlands Neighbourhood V is further described on Map 1.

6.7.4 Basis

The Meadowlands Neighbourhood V Secondary Plan is intended to be consistent with the goals and objectives and land use designations set out in the Official Plan for the Town of Ancaster. In the event of a conflict between the Secondary Plan and other policies in the Official Plan, the policies and designations in the Secondary Plan as they relate to the Meadowlands Neighbourhood V shall prevail.

6.7.5 Planned and Future Population

Meadowlands Neighbourhood V shall have a planned future population of ± 3785 persons and contain ± 1225 dwelling units. The population and dwelling unit figures for Meadowlands Neighbourhood V are approximate. Minor adjustments will not require an amendment to this Secondary Plan.

6.7.6 Residential Policies

- (a) This Secondary Plan is intended to provide a mix of housing opportunities in terms of lot size, unit size, type and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.
- (b) The approximate housing mix shall be as follows:

Low Density	50 %
Medium Density	31 %
High Density	19 %

- (c) For the purposes of calculating residential density in Meadowlands Neighbourhood V, the gross net residential density as defined as follows shall apply:

Gross/net residential density means the area of land measured in hectares utilized for residential dwelling units including the lot area and adjacent local residential roads. The calculation excludes neighbourhood parks, walkways, trails, schools, places of worship and other institutional uses, arterial roads, collector roads and major open spaces and conservation areas.

- (d) Meadowlands Neighbourhood V shall contain the following residential density types as shown on Map 1 to this Secondary Plan:

DESCRIPTION OF RESIDENTIAL DESIGNATIONS		
LAND USE DESIGNATION	PERMITTED HOUSING FORMS	MAX. DENSITY (UNITS / ha)
LOW DENSITY	Single detached dwellings with a minimum frontage of 12.2 metres	20
MEDIUM DENSITY 1	Single detached dwellings with a minimum frontage of 9.1 metres; semi-detached dwellings, row houses and innovative attached housing compatible with other housing forms permitted in this category	29
MEDIUM DENSITY 2	Row houses, block townhouses and innovative attached housing compatible with other housing forms permitted in this category	50
HIGH DENSITY	Block townhouses, stacked townhouses, low-rise apartments and innovative attached housing compatible with other housing forms permitted in this category	70

6.7.7 Existing Uses

Existing uses that are not consistent with the Secondary Plan for Meadowlands Neighbourhood V, are permitted to continue until such a time as the owners are willing to relocate or redevelop their lands.

6.7.8 Institutional Uses

Within the area designated Institutional on Map 1 to this Secondary Plan, the following uses shall be permitted:

- (a) An elementary school on a site of approximately 4 hectares and accessory uses and facilities normally incidental to schools.
- (b) A church, parish hall and rectory on a site of approximately 4 hectares, and/or any public or private uses serving the religious, charitable, educational, governmental, health and welfare needs of the community that are consistent with the objectives of this plan.

No additional schools are proposed for Meadowlands Neighbourhood V. Meadowlands Neighbourhood V shall be served by secondary school facilities outside of the neighbourhood.

6.7.9 Open Space and Conservation Policies

- (a) The open space system for Meadowlands Neighbourhood V includes the following components shown on Map 1:
 - i) Parkland;
 - ii) Pedestrian walkways;
 - iii) The Tiffany Creek Environmentally Significant Area (ESA), the Tiffany Creek Provincially Significant Wetlands (PSW) complex and associated buffers; and
 - iv) Lands associated with storm water management facilities.
- (b) New multi-purpose trails shall be established in the linked open space system where deemed appropriate by the City. Every effort shall be made to connect the new trails to existing and planned trails in the Tiffany Creek Environmentally Significant Area (ESA) and the Tiffany Creek Provincially Significant Wetlands (PSW) complex. The trails shall be established through the approval of plans of subdivision and development agreements.
- (c) Parkland shall be provided to enhance the linked open space system at two locations: (1) in conjunction with a linear stormwater management facility in proximity to the westerly boundary; (2) in conjunction with the Tiffany Creek ESA/PSW and the Ontario Hydro lands in proximity to the easterly boundary.

6.7.10 Special Policy Areas

Map 2 to this Secondary Plan identifies four Special Policy Areas that shall be subject to the following site-specific provisions as follows:

- **Specific Policy Area A**

Development of single detached dwellings on a private road by way of plan of condominium shall be permitted. Alternatively, the lands in Specific Policy Area A may be developed for single detached dwellings on a public road by way of plan of subdivision.

- **Specific Policy Area B**

The ultimate use(s) of the Institutional lands on the south side of the collector road (extension to Stonehenge Drive) shall be determined through the secondary planning process for Meadowlands Neighbourhood IV.

- **Specific Policy Area C**

Individual, separate access onto the collector road (extension to Stonehenge Drive) is not permitted to/from the Medium Density 1 Residential units fronting onto the collector road.

- **Specific Policy Area D**

Notwithstanding the Institutional designation of Specific Policy Area D, residential uses in accordance with the requirements of the Medium Density Residential 2 designation shall be permitted on the easterly portion of the lands, provided that the residential component does not exceed 1.2 hectares in area.

6.7.11 Environmental Policies

- (a) Development proposals on lands adjacent to the Tiffany Creek Provincially Significant Wetlands (PSW) complex and the Tiffany Creek Environmentally Significant Area (ESA) shall address the relevant requirements of the Provincial Policy Statement (PPS) and the Hamilton-Wentworth Official Plan. The Environmental Areas Impact Evaluation Group (ESAIEG), the Hamilton Region Conservation Authority and where applicable, the Ministry of Natural Resources, shall be consulted.

- (b) A constructed wetland providing a stormwater management function may be located within an Environmentally Significant Area provided that the feature is to the satisfaction of the City and Hamilton Region Conservation Authority. The constructed wetland will have natural design characteristics and use native plant species.

6.7.12 Heritage Policies

There are no buildings of historical significance in Meadowlands Neighbourhood V. A comprehensive archaeological resources assessment and artefact recovery was undertaken in 1987. As a result no additional archaeological assessment is required. However, the City may require further investigation and/or recovery and/or protection measures if new artefacts are uncovered during site grading and construction.

6.7.13 Transportation Policies

- (a) Golf Links Road shall be the primary Arterial Road providing access to Meadowlands Neighbourhood V. Meadowlands Boulevard shall also provide access to the Meadowlands Neighbourhood V.
- (b) The extensions to Stonehenge Drive and Cloverleaf Drive shall be the primary collector roads for the movement of traffic within and across the Meadowlands Neighbourhood V.
- (c) Local Roads shall be further defined during the plan of subdivision approval process. The location of Local Roads on Map 1- Land Use, are approximate, and minor adjustments shall not require an amendment to this Plan.
- (d) The City may require that sidewalks be provided on one or both sides of a road. Sidewalk requirements shall be determined through the plan of subdivision approval process.
- (e) Public transit shall be accommodated on the boundary roads and the primary collector roads. Additional pedestrian walkways may be established to minimize walking distances to existing and potential transit routes. The location and design of pedestrian walkways shall be determined through the plan of subdivision approval process.
- (f) The approximate locations of traffic calming devices are shown on Map 1 to this Secondary Plan. The exact location and design of traffic calming devices shall be determined through the plan of subdivision approval and development approval processes.
- (g) The exact location and design of on-road bicycle routes shall be determined through the plan of subdivision approval and development approval processes.

6.7.14 Infrastructure Services

- (a) Meadowlands Neighbourhood V shall be developed on the basis of full municipal services in accordance with the Municipal Servicing Plan in the document entitled *Background Report: Meadowlands Neighbourhoods 3, 4 and 5, Class Environmental Assessment Master Plan*.
- (b) Where a private well(s) and/or private on-site septic system(s) is abandoned in favour of connection to municipal services, the property owner shall properly plug the well and decommission the septic tank in accordance with pertinent legislation and/or guidelines so as to reduce or eliminate potential safety hazards.
- (c) All development shall comply with the approved Master Drainage Plan. Applicants for development proposals may be required by the City to prepare a site-specific Stormwater Management Plan for their lands. The site-specific Stormwater Management Plan shall comply with and incorporate the requirements of the Master Drainage Plan to the satisfaction of the City and the Hamilton Region Conservation Authority.

6.7.15 Design Policies

- (a) Wherever possible, existing trees, significant vegetation and distinctive site views shall be protected and preserved through sensitive subdivision design.
- (b) Aesthetically pleasing streetscapes shall be encouraged through careful design and landscaping.
- (c) Building and site design, setbacks, landscaping, screening and buffering techniques shall be applied to minimize potential conflicts between new and existing uses.
- (d) Medium Density Housing immediately south of Tiffany Creek shall be compatible with the existing Medium Density Housing on the north side of Tiffany Creek. In this regard, new Medium Density Housing shall be comparable and/or complementary with the existing Medium Density Housing in terms of building form and massing, setbacks and landscaping.

6.7.16 Interpretation Policies

- (a) The boundaries between the land use designations shown on Map 1-Land Use are approximate, except where they coincide with major roads, the wetland or any other clearly defined physical feature. Minor adjustments shall not require an amendment to this Secondary Plan, as long as the intent of its policies is maintained.

- (b) All population calculations and other statistics are approximate except for those concerning the maximum densities. Minor variations from the populations and land area calculations shall be permitted as long as the intent of the policies of this Secondary Plan is maintained.
- (c) The Interpretation policies under Section 6 of the Official Plan apply to this Secondary Plan. In the event of conflict, the provisions of this Secondary Plan shall prevail. "

Schedules

Schedule "B" Land Use – Urban Area is hereby amended by changing lands from "Open Space and Conservation" to "Residential", from "Institutional" to "Residential", from "Residential" to "Open Space and Conservation" and from "Commercial" to "Open Space and Conservation", as shown on Schedule "A" to this amendment.

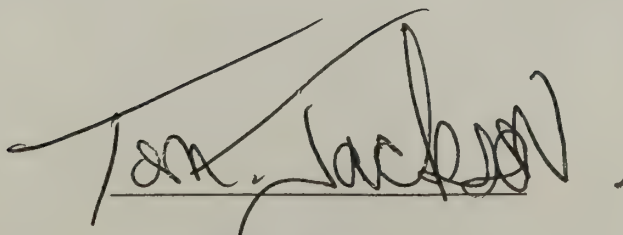
Schedule "F" – Specific Policy Areas, is hereby amended by deleting references to Specific Policy Areas 3-a, 3-b and 3-j for Neighbourhood V, as shown on Schedule "B" to this amendment.

IMPLEMENTATION:

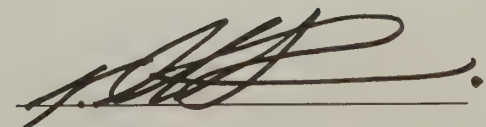
A Zoning By-Law amendment will give effect to the intended use on the subject lands.

This is Schedule "1" to By-law No. 01- 208 , passed on the 18th day of September 2001.

The City of Hamilton



Deputy Mayor



City Clerk

SCHEDULE "A"

TO AMENDMENT No. 83
TO THE OFFICIAL PLAN
FOR THE TOWN OF ANCASTER

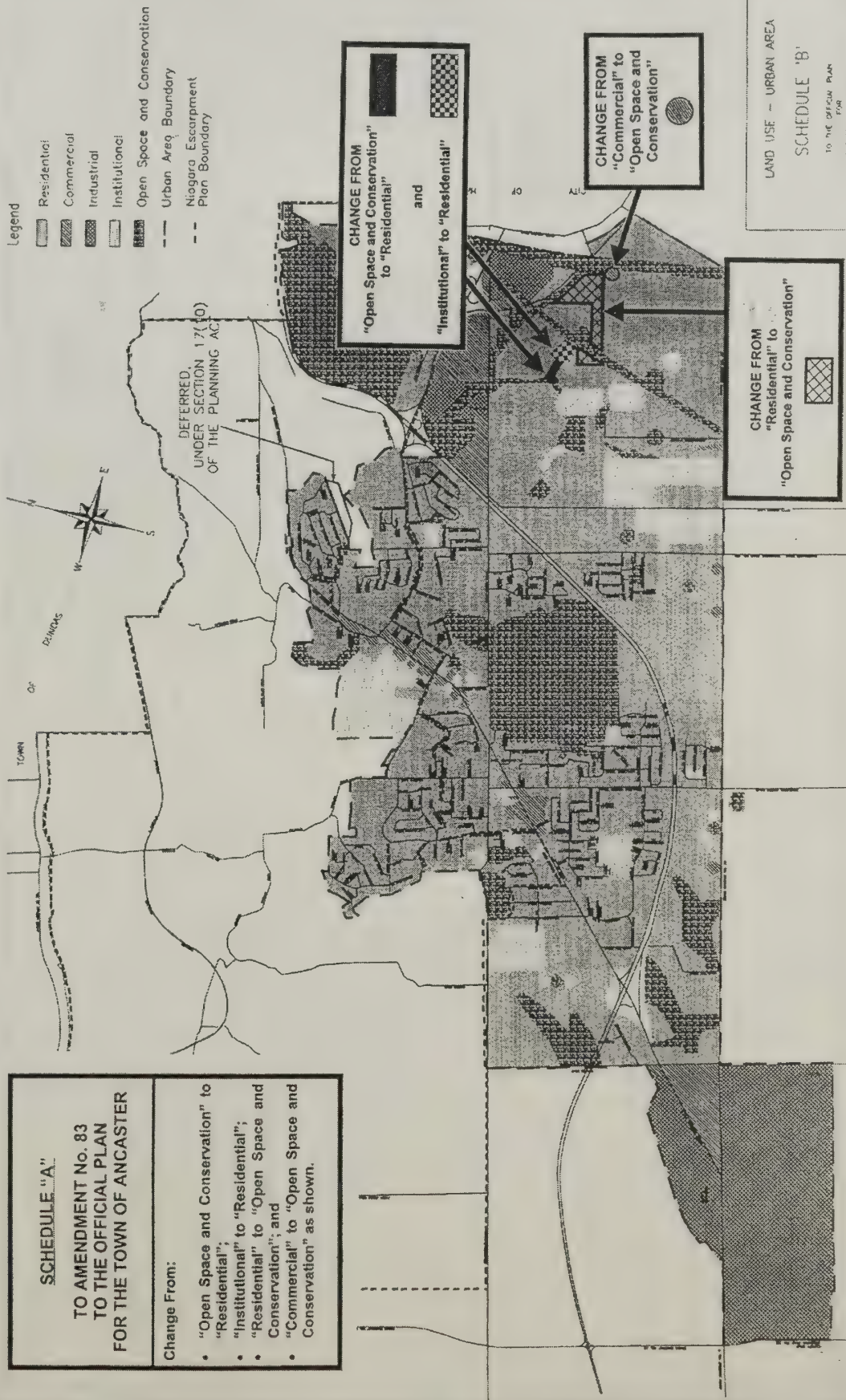
Change From:

- "Open Space and Conservation" to "Residential";
- "Institutional" to "Residential";
- "Residential" to "Open Space and Conservation"; and
- "Commercial" to "Open Space and Conservation" as shown.

Change From:

- "Open Space and Conservation" to "Residential";
- "Institutional" to "Residential";
- "Residential" to "Open Space and Conservation"; and
- "Commercial" to "Open Space and Conservation" as shown.

- "Open Space and Conservation" to "Residential";
- "Institutional" to "Residential";
- "Residential" to "Open Space and Conservation"; and
- "Commercial" to "Open Space and Conservation" as shown.



CHANGE FROM
"Residential" to
"Open Space and Conservation"

**CHANGE FROM
"Commercial" to
"Open Space and
Conservation"**

CHANGE FROM
"Open Space and Conservation"
to "Residential"

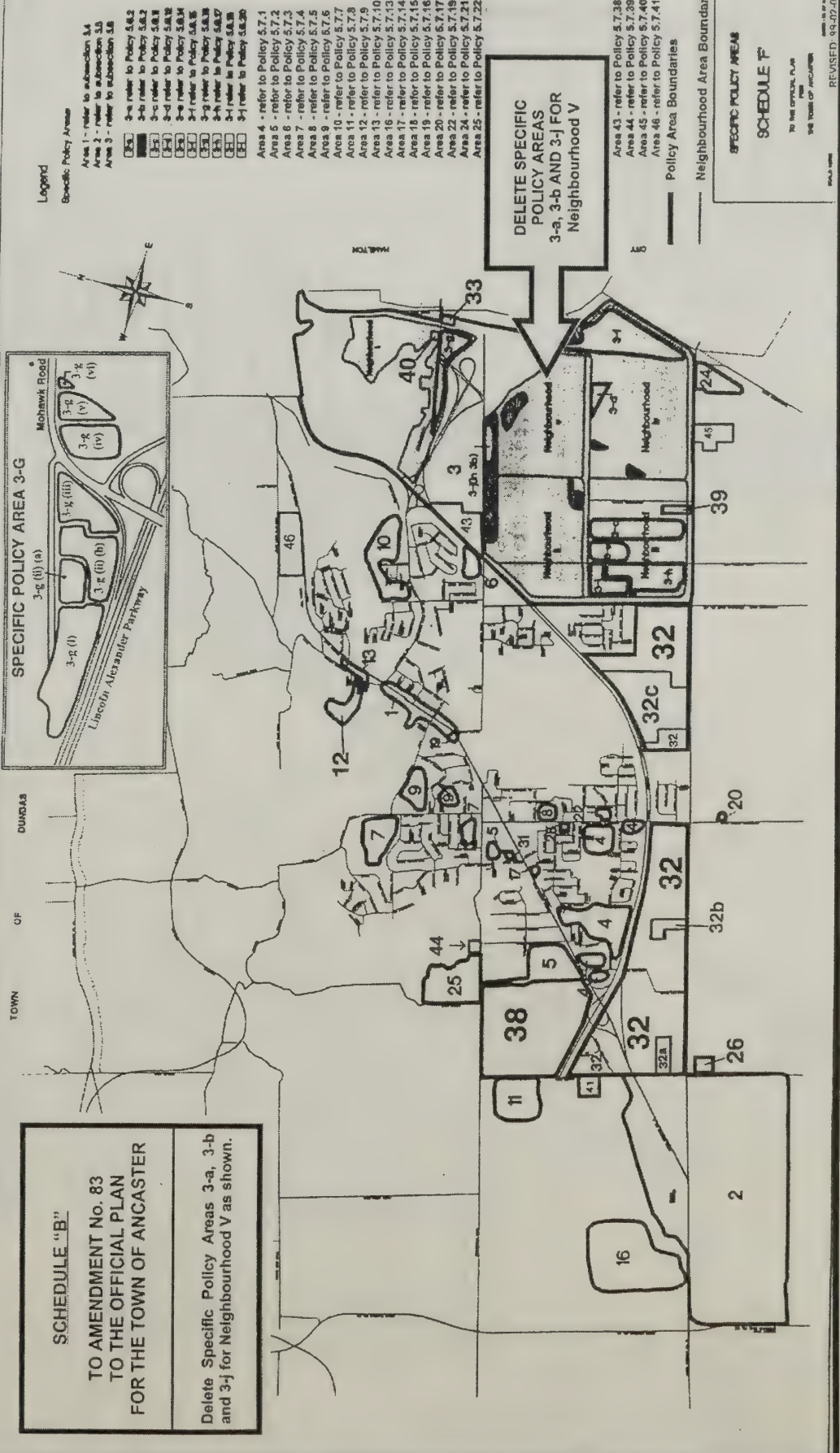
and

"Institutional" to "Residential"



"Institutional" to "Residential"





SCHEDULE "B"

TO AMENDMENT No. 83
TO THE OFFICIAL PLAN
FOR THE TOWN OF ANCASTER

Delete Specific Policy Areas 3-a, 3-b
and 3-j for Neighbourhood V as shown.

Legend

- Specific Policy Areas**
- Area 1 - refer to subsection 3.4
 - Area 2 - refer to subsection 3.4
 - Area 3 - refer to subsection 3.8
 - 3-a refer to Policy 5.7.1
 - 3-b refer to Policy 5.7.2
 - 3-c refer to Policy 5.7.3
 - 3-d refer to Policy 5.7.4
 - 3-e refer to Policy 5.7.5
 - 3-f refer to Policy 5.7.6
 - 3-g refer to Policy 5.7.7
 - 3-h refer to Policy 5.7.8
 - 3-i refer to Policy 5.7.9
 - 3-j refer to Policy 5.7.10
 - Area 4 - refer to Policy 5.7.1
 - Area 5 - refer to Policy 5.7.2
 - Area 6 - refer to Policy 5.7.3
 - Area 7 - refer to Policy 5.7.4
 - Area 8 - refer to Policy 5.7.5
 - Area 9 - refer to Policy 5.7.6
 - Area 10 - refer to Policy 5.7.7
 - Area 11 - refer to Policy 5.7.8
 - Area 12 - refer to Policy 5.7.9
 - Area 13 - refer to Policy 5.7.10
 - Area 14 - refer to Policy 5.7.11
 - Area 15 - refer to Policy 5.7.12
 - Area 16 - refer to Policy 5.7.13
 - Area 17 - refer to Policy 5.7.14
 - Area 18 - refer to Policy 5.7.15
 - Area 19 - refer to Policy 5.7.16
 - Area 20 - refer to Policy 5.7.17
 - Area 21 - refer to Policy 5.7.18
 - Area 22 - refer to Policy 5.7.19
 - Area 23 - refer to Policy 5.7.20
 - Area 24 - refer to Policy 5.7.21
 - Area 25 - refer to Policy 5.7.22
 - Area 43 - refer to Policy 5.7.38
 - Area 44 - refer to Policy 5.7.39
 - Area 45 - refer to Policy 5.7.40
 - Area 46 - refer to Policy 5.7.41

**DELETE SPECIFIC
POLICY AREAS
3-a, 3-b AND 3-j FOR
Neighbourhood V**

SPECIFIC POLICY AREAS

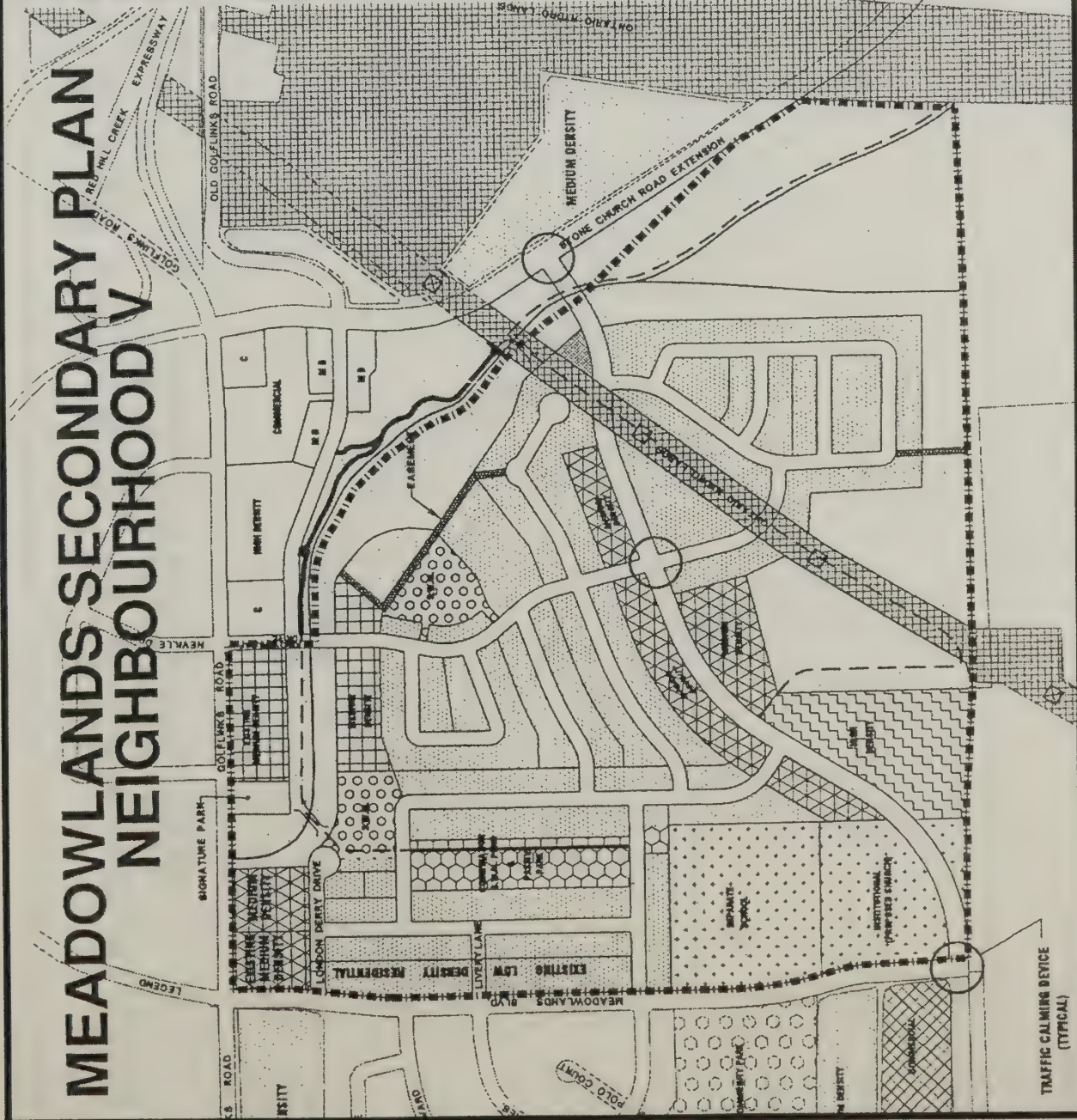
SCHEDULE "F"

TO THE OFFICIAL PLAN
FOR THE TOWN OF ANCASTER

MEADOWLANDS SECONDARY PLAN NEIGHBOURHOOD V

LEGEND

- LOW DENSITY RESIDENTIAL
- MEDIUM DENSITY RESIDENTIAL I (29 u.p.h.)
- MEDIUM DENSITY RESIDENTIAL II (50 u.p.h.)
- HIGH DENSITY RESIDENTIAL (70 u.p.h.)
- INSTITUTIONAL
- OPEN SPACE AND CONSERVATION AREA
- PARK AREA
- SWM POND / PARK AREA
- SWM POND AREA
- CREEK
- EXISTING PATHWAY
- PROPOSED TRAIL
- FOOTBRIDGE
- NEIGHBOURHOOD BOUNDARY



BY PLAN THE MUNICIPALITY OF HAMILTON
CITY OF HAMILTON
APPROVED BY 15TH OF JUNE 2008

MAP 1

Land Use and
Transportation

PLANNING &
ENGINEERING
INITIATIVES LTD.

1000 Highway 10, Suite 100
Mississauga, Ontario L4V 1N1
Tel: (905) 876-1111
Fax: (905) 876-1112
www.penginit.com



MEADOWLANDS SECONDARY PLAN NEIGHBOURHOOD V

LEGEND

- A SPECIFIC POLICY AREA A
- B SPECIFIC POLICY AREA B
- C SPECIFIC POLICY AREA C
- D SPECIFIC POLICY AREA D
- NEIGHBOURHOOD BOUNDARY



CITY OF HAMILTON
OFFICE OF PLANNING & ENGINEERING INITIATIVES LTD.

MAP 2
Specific Policy Areas

PLANNING & ENGINEERING INITIATIVES LTD.
200 James Street West, Suite 200
Hamilton, Ontario L8N 2Y1
Tel: (905) 571-1000
Fax: (905) 571-1001
www.cityofhamilton.ca

City of Hamilton

BY-LAW No. 01 - 209

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

**LANDS LOCATED SOUTH OF RYMAL ROAD EAST
AND WEST OF UPPER WENTWORTH STREET FRONTING
ONTO BIANCA DRIVE AND MORGANTE COURT**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-18e of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "AA (Agricultural) District to "C" (Urban Protected Residential, etc.) District the lands comprised in Blocks 1 and 2,

By-law Respecting Lands Located south of
Rymal Road East, and west of Upper
Wentworth Street fronting onto Bianca Drive
and Morgante Court

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto
annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving
of notice of the passing of this by-law, in accordance with the Planning Act.

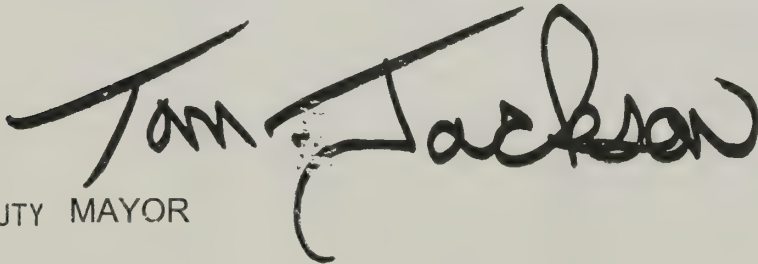
PASSED this

18th

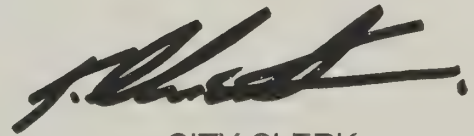
day of

September

A.D. 2001

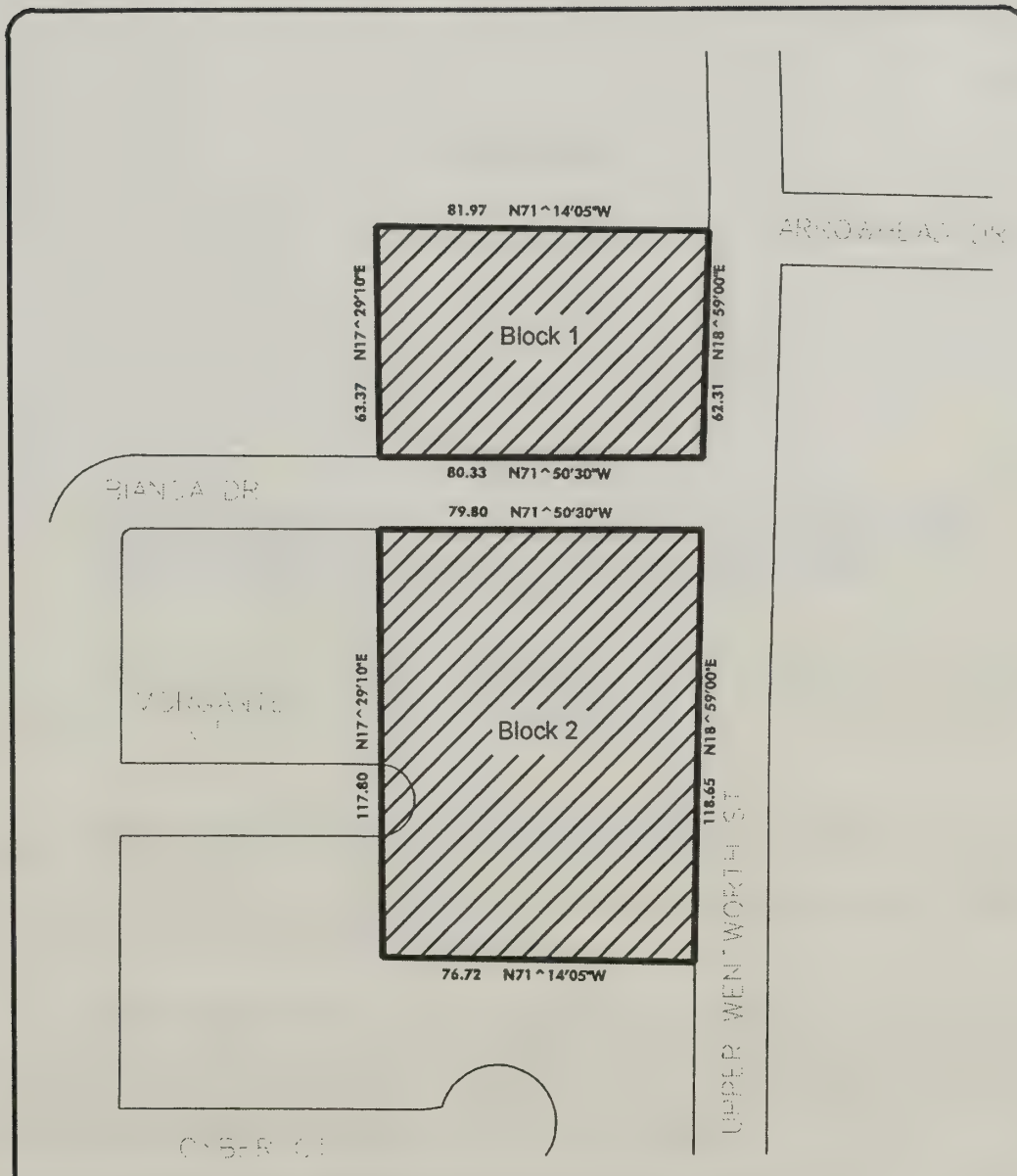
A large, stylized handwritten signature in black ink that reads "Tom Jackson". The signature is written over the words "PASSED this" and "18th".

DEPUTY MAYOR

A handwritten signature in black ink, appearing to be "J. H. ...", written over the words "day of" and "September".

CITY CLERK

Hamilton-Wentworth District School Board, Owner
ZAC-01-19



This is Schedule "A" to By-Law No. 01-209.
 Passed the 18th day of Sept., 2001.

[Signature]
 City Clerk

[Signature: Tom Jackson]
 Deputy Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 01-209

Planning and Development Department

Legend



Blocks 1 & 2:
 Change in zoning from "AA"
 (Agricultural) District to "R-4"
 (Small Lot Single Family) District



Scale
 NOT TO SCALE

Date
 Sept. 6, 2001

Reference File No.
 ZA-01-19

Drawn By
 MC

City of Hamilton

BY-LAW No. 01 - 210

To Amend:

Zoning By-law No. 6593 (Hamilton)

Respecting:

**LANDS LOCATED SOUTH OF STONE CHURCH ROAD WEST,
WEST OF WEST 5TH STREET, KNOWN MUNICIPALLY AS
155 STONE CHURCH ROAD WEST**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

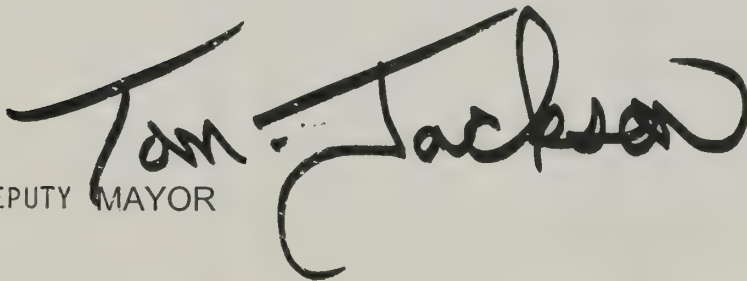
1. Sheet No. E-27e of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "AA (Agricultural) District to "C" (Urban Protected Residential, etc.) District the lands comprised in Blocks 1 and 2,

By-law Respecting Lands Located South of
Stone Church Road West, West of West 5th
Street and east of Chelsey Drive, known
municipally as 155 Stone Church Road West

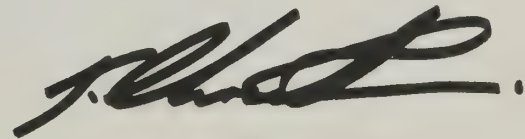
the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto
annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving
of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 18th day of September A.D. 2001

A large, stylized handwritten signature in black ink that reads "Tom Jackson". The signature is written over the words "PASSED this" and "day of".

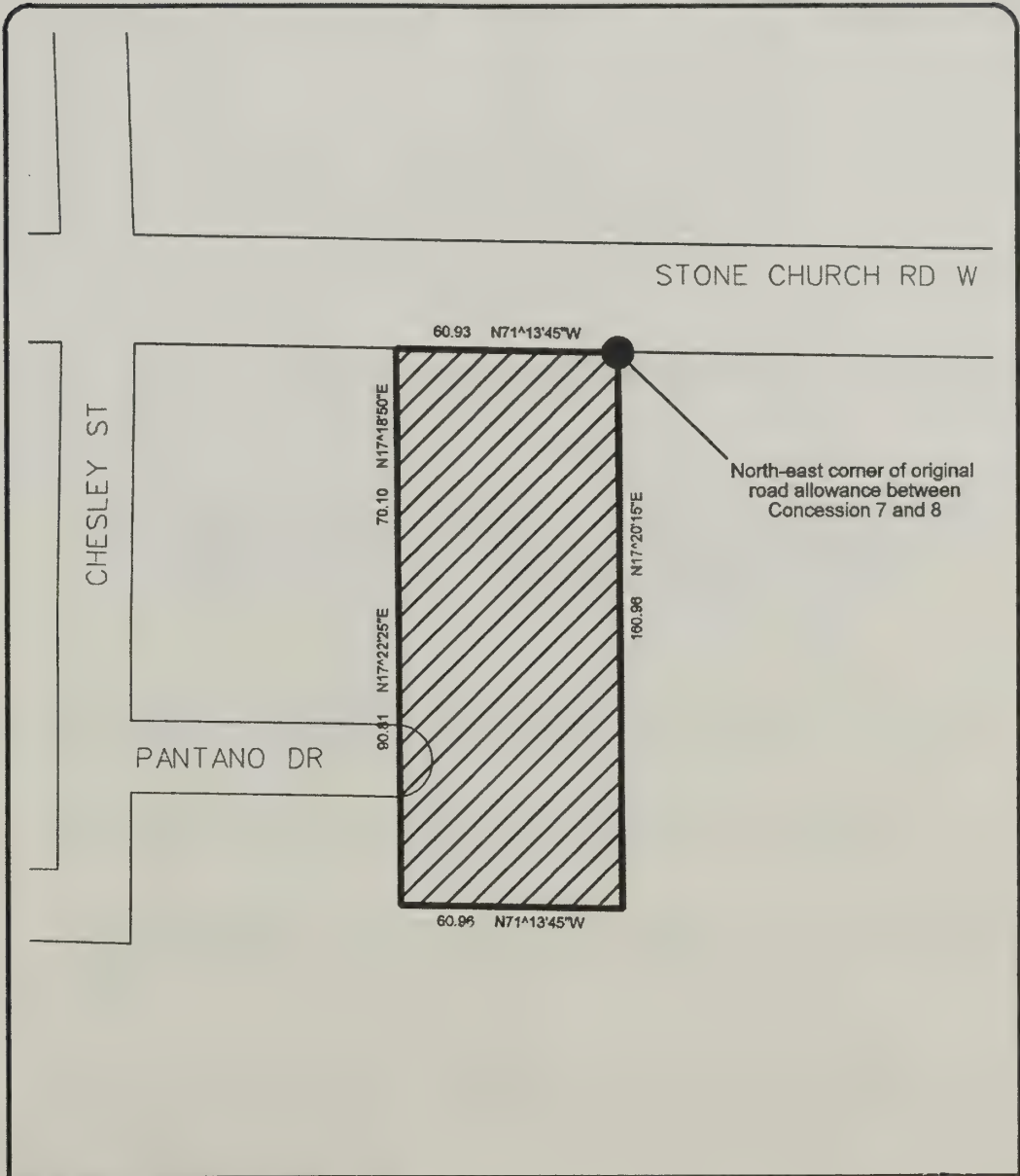
DEPUTY MAYOR

A large, stylized handwritten signature in black ink, likely belonging to the City Clerk, written over the words "day of" and "September".

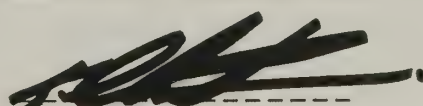
CITY CLERK

1403288 Ontario Inc. (c/o J. Rubino), prospective owner
ZAC-01-28

By-Law No. 210



This is Schedule "A" to By-Law No. 01-210
Passed the 18th day of Sept., 2001.


City Clerk


Deputy Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 01-210

Planning and Development Department

Legend



Change in zoning from "AA"
(Agricultural) District to "C" (Urban
Protected Residential, etc.) District

North 	Scale NOT TO SCALE	Reference File No. ZA-01-28
	Date Sept. 6, 2001	Drawn By MC

City of Hamilton

BY-LAW No. 01-211

To Extend:

City of Hamilton By-law No. 00-131

Respecting:

THE EXEMPTION OF LANDS FROM PART LOT CONTROL
FOR LANDS WITHIN "WISEMOUNT ESTATES, PHASE 9"
REGISTERED PLAN OF SUBDIVISION 62M-836

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999, Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former Corporation of the City of Hamilton;

AND WHEREAS the Corporation of the City of Hamilton passed By-law No. 98-226 to exempt lands within the "Wisemount Estates, Phase 9" Subdivision, Plan 62M-836 from Part Lot Control;

AND WHEREAS the Corporation of the City of Hamilton passed By-law No. 99-130 on September 7, 1999 to extend the time period specified for the expiration of By-law No. 98-226 to October 1, 2000;

AND WHEREAS the Corporation of the City of Hamilton passed By-law No. 00-165 on September 26, 2000 to extend the time period specified for the expiration of By-law No. 98-226, as amended by By-law No. 99-130, to October 1, 2001;

AND WHEREAS in accordance with Subsection 7.4 of Section 50 of the Planning Act, By-law No. 98-226, as amended by By-law Nos. 99-130 and 00-165, expires on October 1, 2001;

AND WHEREAS the City of Hamilton Act, 1999 provides that by-laws of the former City of Hamilton continue in force until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS subsection 5 of Section 50 of the Planning Act, (R.S.O. 1990, Chapter P.13) establishes part-lot control on land within registered plans of subdivision;

By-law Respecting the exemption of lands from Part
Lot Control for Lands within "Wisemount Estates, Phase 9"
Registered Plan of Subdivision 62M-836

2

AND WHEREAS subsection 7 of Section 50 of the Planning Act, states, in part,
as follows:

- (7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.
- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the Minister has delegated his authority to approve by-laws enacted under subsection 7 of Section 50 of the Planning Act to the City of Hamilton pursuant to Section 4 of the Planning Act by Ontario Regulation 476/83;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 2(c) of By-law No. 98-226, as amended by By-law Nos. 99-130 and 00-165 is hereby repealed and the following substituted therefor:

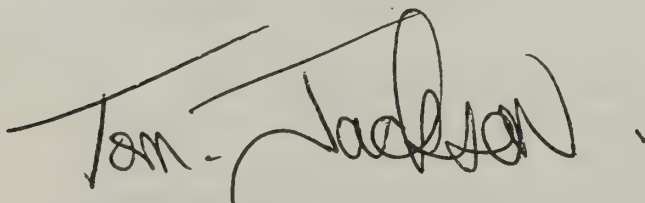
"(c) Other than Lots 15-21, inclusive, Registered Plan 62M-836 "Wisemount Estates, Phase 9", this By-law shall no longer be of any force and effect. As it relates to Lots 15-21, inclusive, Registered Plan 62M-836 "Wisemount Estates, Phase 9", this By-law expires on October 1, 2002."

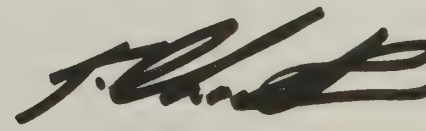
2. In all other respects, By-law No. 98-226, as amended by By-law Nos. 99-130 and 00-165, is hereby confirmed, unchanged.

3. Where this by-law has been enacted it shall be registered on title to the land described in section 1 of By-law No. 98-226, as amended by By-law Nos. 99-130 and 00-165.

PASSED this 18th day of September

A.D. 2001.


DEPUTY MAYOR


CITY CLERK

822827 Ontario Inc., Owner,
PLC-98-07

City of Hamilton

BY-LAW NO. 01-212

To Amend:

Zoning By-law No. 90-145-Z (Flamborough)

Respecting:

**LANDS LOCATED AT MUNICIPAL NO. 1268 HIGHWAY NO. 6 NORTH
(formerly Town of Flamborough)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the Town of Flamborough" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by Council of the City of Hamilton;

AND WHEREAS By-law No. 90-145-Z (Flamborough) passed on the 5th day of November, 1990 (in force December 21, 1992) in accordance with the Planning Act, - zoned as Agriculture 'A' Zone and Conservation Management 'CM' Zone, the land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A-5";

AND WHEREAS in accordance with the Planning Act, R.S.O., 1990, section 39, Council may pass-by-laws authorizing the temporary use of land, buildings or structures for a purpose that is otherwise prohibited by the zoning By-law;

AND WHEREAS the Council of the City of Hamilton deems it advisable, pursuant to the provisions of this By-law and the occupancy agreement required by this by-law, to permit the temporary use of the land shown on Schedule "A" to this By-law, as a garden suite — on several conditions, including the condition that the owner of the said land enters into an agreement with and satisfactory to the municipality, as authorized by the Municipal Act, section 207.2;

AND WHEREAS this by-law is in conformity with the City of Hamilton Official Plan approved by the Minister in accordance with the Planning Act, (formerly the Official Plans of the former municipalities, namely the Town of Flamborough and The Regional Municipality of Hamilton-Wentworth).

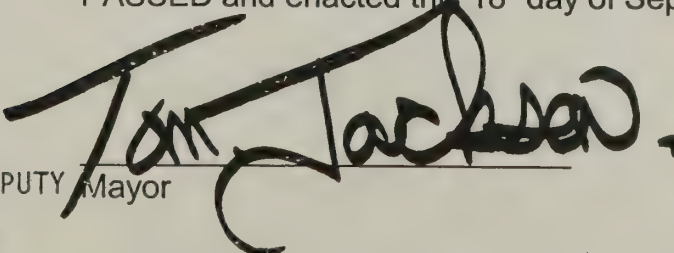
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

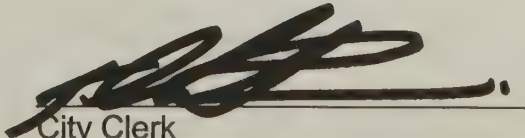
1. (a) Subject to subsection (b) below, the Agriculture 'A' Zone provisions, as contained in Section 33 of By-law No. 90-145-Z (Flamborough), applicable to the land shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that a garden suite is also authorized on the said land — as a temporary use — only for that temporary period which period expires ten years from the date of passing of this By-law.

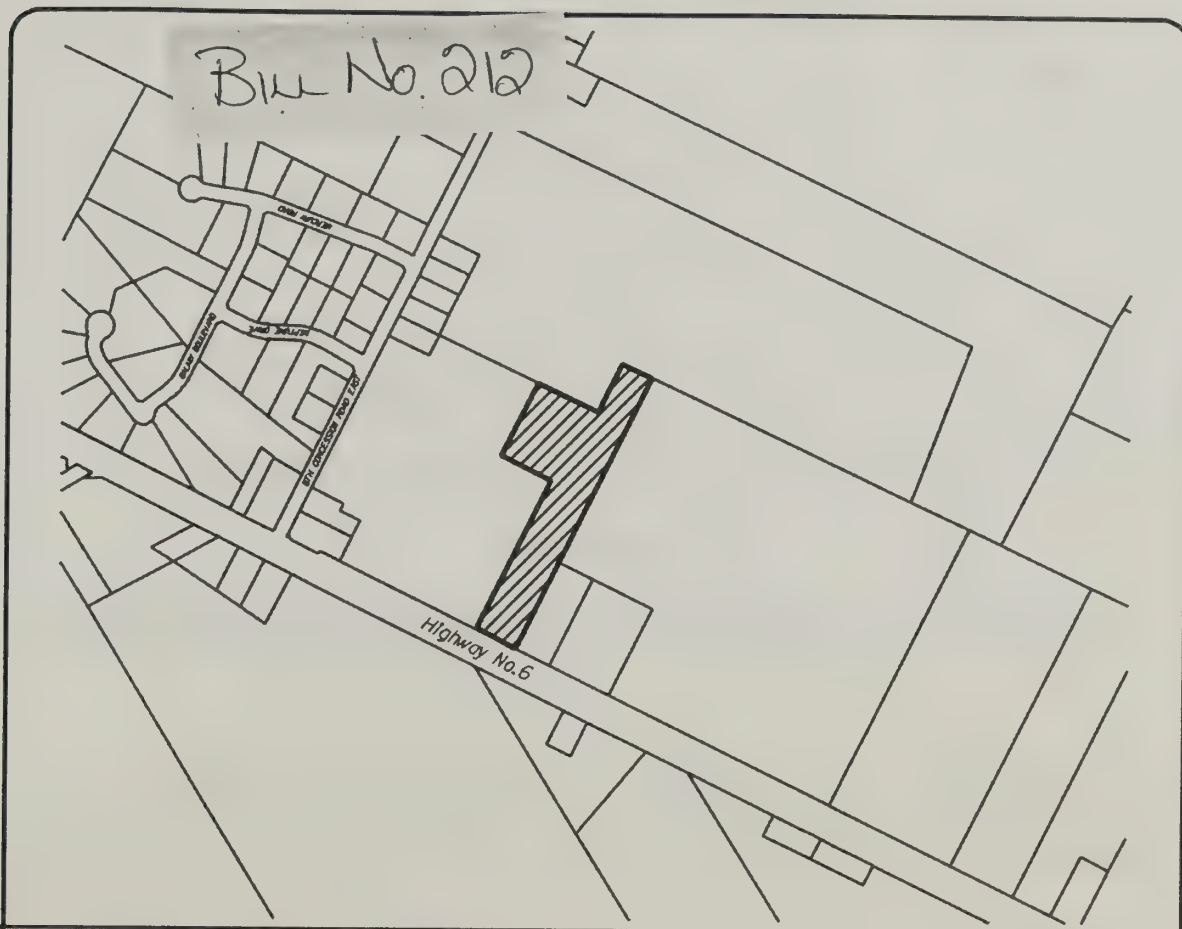
(b) It is a condition of this by-law that such temporary use is not authorized to be commenced upon the said land unless and until the owner of the said land has (as authorized by the Municipal Act, section 207.2) entered into an occupancy agreement with and satisfactory to the City of Hamilton.

(c) In this by-law, the phrase "garden suite" means a one-unit detached residential structure containing bathroom and kitchen facilities that is ancillary to an existing residential structure and that is designed to be portable.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the 'A-70' provisions of By-law No. 90-145-Z (Flamborough), subject to the special requirements in section 1 of this amending by-law and subject to the provisions of the said required occupancy agreement.
3. By-law No. 90-145-Z (Flamborough) is amended by: (i) adding this by-law to Section 33.3 as Subsection 33.3.70; and, (ii) by marking the land referred to in section 1 of this By-law as 'A-70' in Schedule "A-5" of the By-law's Zone Maps.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and enacted this 18th day of September, 2001.


DEPUTY Mayor


City Clerk



This is Schedule "A" to By-Law No. 01-212
 Passed the 18th day of Sept., 2001.


 City Clerk


 Deputy Mayor

City of Hamilton

Schedule "A"

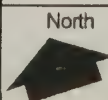
Map Forming Part of
 By-Law No. 01-212

Planning and Development Department

Legend



Change from Agriculture "A" Zone to
 Agriculture "A-70" Zone



Scale
 NOT TO SCALE

Date
 August, 2001

Reference File No.
 ZAC-01-25

Drawn By
 P.T.

Bill No. 213

City of Hamilton

BY-LAW NO. 01- 213

To Amend

Zoning by-law No. 6593 (Hamilton),

As Amended by Zoning by-laws No. 92-197 and 93-117

Respecting

LAND LOCATED AT MUNICIPAL NO. 195 FERGUSON AVENUE NORTH

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 97-147 on the 8th day of July 1997 to establish special requirements under Section 19B of Zoning By-law No. 6593 for the "E" District, in respect of lands located at No. 195 Ferguson Avenue North, in the Beasley Neighbourhood, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS by Order of the Ontario Municipal Board dated, July 2001, the City was required to pass a by-law in this form;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, as amended by By-laws No. 92-197 and 93-117, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 11(1) of Zoning By-law No. 6593, the following use shall be permitted on the first and second floor of the existing building located at No. 195 Ferguson Avenue North:
 - (i) a drop-in centre having a maximum gross floor area of 745 m²;
- (b) for the purposes of the By-law, a Drop-in Centre shall mean any building or portion thereof used for the purposes of providing counselling, professional and personal care services, guidance, religious services, recreational activities, cafeteria, temporary refuge and other similar community based activities, by a person or persons on a temporary basis and is operated by a non-profit organization but is not considered as and shall not be used as a residential care facility, short term care facility, hostel or community centre;
- (c) notwithstanding Section 18A of Zoning By-law No. 6593, the drop-in centre shall not be subject to the parking and loading requirements.

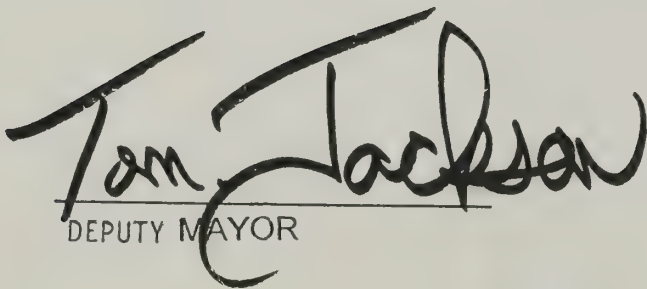
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District provisions, subject to the special requirements referred to in section 1 of this by-law.

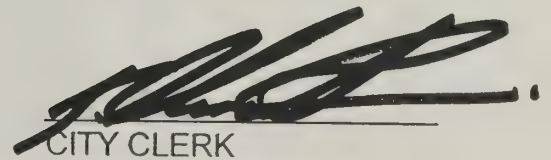
3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1297c.

4. Sheet No. E-3 of the District Maps are amended by marking the lands referred to in sections 1, 2 and 3 of this by-law, S-1297c.

5. By-law No. 97-147, passed on the 8th day of July 1997, is hereby repealed in its entirety.

PASSED this 18th day of September A.D. 2001

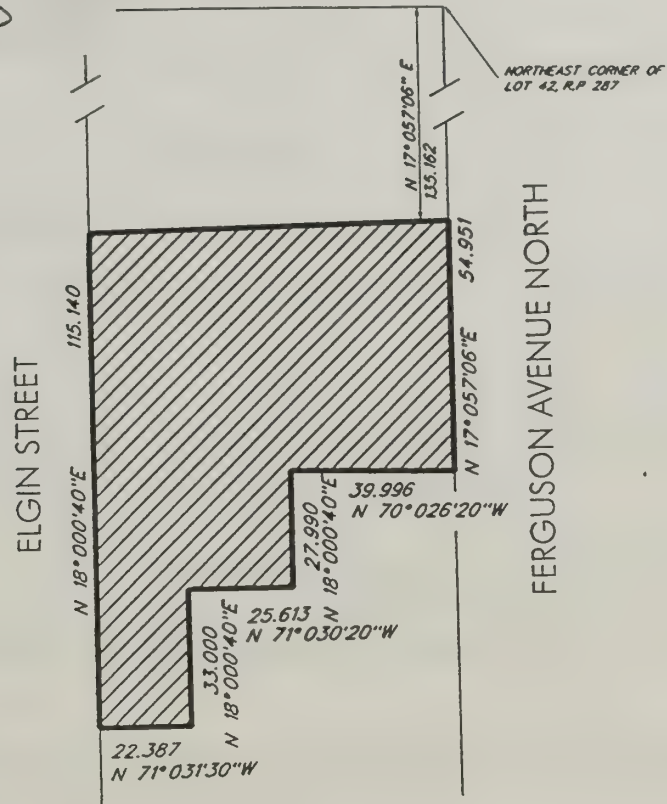

DEPUTY MAYOR


CITY CLERK

OMB Order 1205
dated July 27, 2001
(ZAC 97-09)

Bill 213

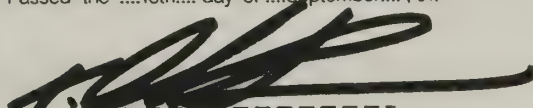
BARTON STREET EAST

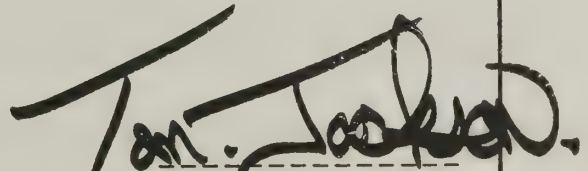


NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 01-213.....

Passed the18th.... day ofSeptember...., 01.


City Clerk


Deputy Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 01-213

to Amend By-Law No. 6593

Planning and Development Department

Legend



Further modification in Zoning to
"E" (Multiple Dwellings,
Lodges, Clubs, etc.) District

North



Scale
NOT TO SCALE

Date
Feb.07.2001

Reference File No.
ZAC-97-09

Drawn By
J.K

City of Hamilton

BY-LAW NO. 01- 214

To Amend:

By-law 89-72 (Hamilton), as amended,

TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law No. 89-72 to regulate traffic;

AND WHEREAS the City Of Hamilton Act, 1999, Statutes of Ontario, 1999, Chapter 14, Schedule C did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to the former area municipality the Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton Act, 1999 provides that all by-laws of the Corporation of the City of Hamilton continue in force and effect in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS it is necessary to amend By-law No. 89-72 (Hamilton), as amended;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Schedule 26 (No Parking Areas) of By-law No. 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Sirente	South 99 ft. east of Latorre Crt. to 40 ft. easterly	Anytime
----------	--	---------

Sirente	South 63 ft. west of Latorre Crt. to 40 ft. westerly	Anytime"
---------	--	----------

and by deleting therefrom the following item, namely:

"Conrad East Beach Rd. to southerly end Anytime"

2. That Schedule 27 (Alternate Side Parking) of By-law 89-72, as amended, is hereby further amended by deleting therefrom the following item, namely:

"East 25th Street West East"
MacLennan Avenue to Halam Avenue

3. That Schedule 28 (Taxi Stands) of By-law 89-72, as amended, is hereby further amended by adding thereto the following item, namely:

"Lamoreaux North 80 ft. 44 ft. west of Strathcona 7:00 a.m. - 6:00 p.m.
Monday to Saturday"

4. That Schedule 29 (No Stopping Areas) of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Conrad East Beach Road to southerly limit of Conrad Anytime

Rennie South commencing 6 feet east of the extended east Anytime
curb line of Shynal and extending 249 feet
westerly therefrom

Rennie South commencing 450 feet west of the extended Anytime"
west curb line of Shynal and extending 179
feet westerly therefrom

and by deleting therefrom the following item, namely:

"Strathcona West Lamoreaux to 88 feet north Anytime"

5. That Schedule 31 (School Bus Loading Zones) of By-law 89-72, as amended, is hereby further amended by adding thereto the following items, namely:

"Strathcona West 92 ft. 49 ft. north of Lamoreaux 7:00 a.m. - 6:00 p.m.
Monday to Saturday

Strathcona West 30 ft. 171 ft. north of Lamoreaux 7:00 a.m. - 6:00 p.m.
Monday to Saturday

East 37th East 155 ft. 324 ft. north of Seventh 7:00 a.m. - 6:00 p.m.
Monday to Saturday"

6. That Schedule 34 (Permit Parking) of By-law No. 89-72, as amended is hereby further amended by adding thereto the following items, namely:

"William	West	commencing 321 feet north of Barton and extending 23 feet northerly therefrom	Anytime
Cumberland	South	commencing 133 feet east of the extended extended east curb line of Norway and extending 22 feet easterly therefrom	Anytime
Primrose	North	commencing 99 feet east of Avondale and extending 26 feet easterly therefrom	Anytime
Biggar	North	commencing 610 feet west of Lottridge and extending 19 feet westerly therefrom	Anytime
Paling	West	commencing 291 feet north of Vansitmart and extending 23 feet northerly therefrom	Anytime
Garside	West	commencing 118 feet south of Roxborough and extending 19 feet southerly therefrom	Anytime
Weir	East	commencing 253 feet north of Dunsmure and extending 17 feet northerly therefrom	Anytime"

and by deleting therefrom the following items, namely:-

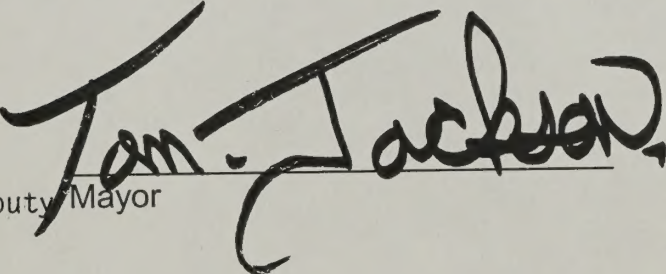
"Strathcona	East	commencing at a point 228 feet south of King to a point 27 feet southerly therefrom	Anytime
Paling	East	commencing at a point 726 feet south of Barton and extending to a point 21 feet southerly therefrom	Anytime"

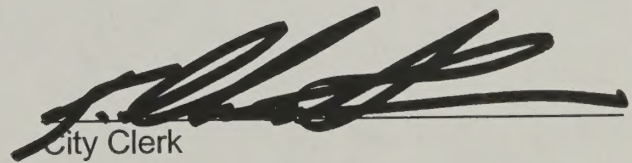
7. That Schedule 35 (Wheelchair Loading Zones) of By-law 89-72, as amended, is hereby further amended by deleting therefrom the following items, namely:

"Strathcona	West	30 ft. 141 ft. north of Lamoreaux	7:00 a.m. - 6:00 p.m. Monday to Saturday
Adeline	West	24 ft. 265 ft. south of Barton	8:00 a.m. - 4:00 p.m. Monday to Friday"

8. Subject to the amendments made in this By-law, in all other respects, By-law No. 89-72 (Hamilton), as amended, including all Schedules thereto, is hereby confirmed unchanged.
9. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 18th day of September, 2001.

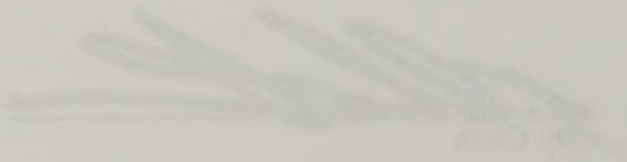

Deputy Mayor


City Clerk

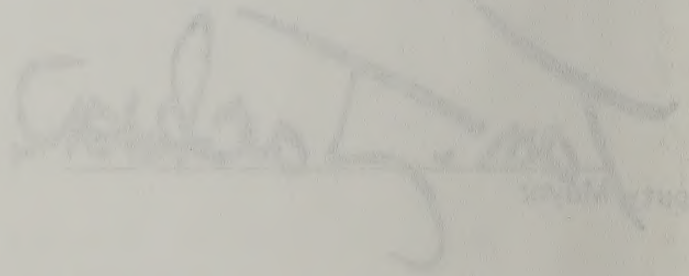
Subject to the amendments made in this By-law, in all other respects, By-law No. 25-75 (Amendment) as amended, including all Schedule thereto, is hereby confirmed unchanged.

This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and enacted this 13th day of December, 2014.



Mayor



Deputy Mayor



 **ACCO. USA**
WHEELING, ILLINOIS 60090
25971

MADE IN USA

0 50505 25971 7

BLACK/NOIR/NEGRO

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